

PROCEEDINGS OF THE DAY		5
Day and Date	Tuesday and 11.01.2022	
Complaint No.	CR/4346/2021 Case titled as Dinesh Chander Arora VS OASIS Landmark LLP	
Complainant	Dinesh Chander Arora	
Represented through	Complainant in person with Shri Himanshu Gupta Advocate	
Respondent	OASIS Landmark LLP	
Respondent Represented	Shri Saurab Gauba Advocate	
Last date of hearing	First hearing	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings through V.C.

The present complaint was filed on **10.11.2021** and registered as **complaint No. 4346 of 2021**. As per the registry, complainant has sent copy of complaint along with annexures through speed post as well as through email and proof regarding having the delivery of the complaint along with annexures made to the respondent has been submitted by the complainant as available in the file. The registry of the authority sent a notice with a copy of the complaint along with annexures through speed post of which delivery confirmed on **15.12.2021** as per the tracking report of the speed post available in the file. Registry has also sent the notice along with a copy of the complaint through email at following email address:

noticeicon@godrejproperties.com

The same is shown to have been delivered on the above email address as per the report available in the file. It is proper service of the notice.

The counsel for the complainant submits that an amount of Rs.1,43,64,332/- has already been paid against a total consideration of Rs.1,66,00,000/- only. Further the unit was to be handed over within a period of 48 months of signing



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
CR 12/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

of the allotment letter i.e. 05.11.2015. However, the offer of possession was not made within the stipulated period and owing to some financial constraints, a request was made to the promoter company for cancellation and refund of the amount deposited as per applicable RERA Rules and Regulations which allows deduction of 10% amount of consideration money. However, the request was not considered and a complaint bearing No.3450 of 2021 was filed before the Adjudicating Officer and is fixed for hearing on 05.04.2022. However, in the meanwhile a cancellation notice has been issued by the promoter company and an application under section 36 of the Act for restraining the promoter from its cancellation or creation of third party rights has been made. The counsel for the respondent requests four weeks time to file reply to the application made by the complainant under section 36 of the Act and that reply to the application pending before A.O. has already been filed.

The respondent is directed to file reply within four weeks i.e. by 09.02.2022 in the registry with a copy to the complainant. Last opportunity is being granted. In case reply is not filed within the time allowed, the defense of the respondent may struck off. In the meanwhile the respondent is directed to not create any third party rights in respect of the above unit allotted to the complainant for which more than 80% consideration amount has been paid.

Matter to come up on **09.03.2022** for further proceedings.

V.K. - 3
Vijay Kumar Goyal
Member


Dr. KK Khandelwal
Chairman
11.01.2022