



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

PROCEEDINGS OF THE DAY

Day and Date	Thursday and 08.04.2021
Complaint No.	CR/4559/2020 Case titled as Praveen Garg V/S BPTP Limited
Complainant	Praveen Garg
Represented through	Shri Nikhil Mittal Advocate
Respondent	BPTP Limited
Respondent Represented through	Shri Venket Rao Advocate
Last date of hearing	24.02.2021
Proceeding Recorded by	Naresh Kumari HR Mehta

Proceedings

Arguments heard.

As per clause 1.6 of the BBA, the unit was to be delivered within 42 months from the date of sanction of the building plan or execution of BBA whichever is later. Building plan was sanctioned on 21.09.2012, accordingly the due date of possession is to be calculated on the basis of execution of BBA i.e. from 24.12.2012.

By virtue of BBA executed between the parties on 24.12.2012, there is a delay on the part of the respondent to hand over the physical possession of the unit to the complainant and as such, the complainant is entitled for delayed possession charges under section 18 (1) of the Real Estate (Regulation & Development) Act, 2016 at the prescribed rate of interest i.e. 9.30% per annum for every month of delay on the amount paid by the complainant with the respondent from the due date of possession till the handing over of possession.

The complainant is also directed to pay the outstanding dues, if any. Interest on the due payments from the complainant and interest on account of



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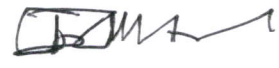
delayed possession charges to be paid by the respondent shall be equitable i.e. at the prescribed rate of interest i.e. 9.30% per annum.

The arrears of interest accrued so far shall be paid to the complainant within 90 days from the date of this order.

The respondent shall **not charge anything** from the complainant which is not part of the Builder Buyer Agreement.

Complaint stands disposed of. Detailed order will follow. File be consigned to the registry.


Samir Kumar
Member


Dr. KK Khandelwal
Chairman
08.04.2021