

PROCEEDINGS OF THE DAY

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| Day and Date | Tuesday and 20.12.2022 |
| Complaint No. | E/459/2022/3078/2021 Case titled Hema B Shankaran Vs Imperia Structure Limited & Harpreet Singh Batra |
| Complainant | Hema B Shankaran |
| Represented through | Mr Mohit Adv |
| Respondent | Imperia Structure Limited & Harpreet Singh Batra |
| Respondent Represented through | Mr Mehir Garg Adv |
| Last date of hearing | |
| Proceeding Recorded by | Jyoti Malik |

Proceedings

Learned counsel for JD offered a cheque for a sum of Rs. 46,000/-, but is refused by learned counsel for DH, stating that same is not acceptable to his client, He wants entire payment.

Certain objections are filed on behalf of JD about calculation. A sum of Rs. 159720.4635/- is claimed as maintenance amount.

According to learned counsel for DH, JD is not entitled to recover any maintenance amount unless possession of unit in question has been handed over and it has not been done till now. Admittedly, possession has not been handed over to DH till now. As per learned counsel for latter, although a letter offering possession dated 21.10.2022, was received by his client but when he contacted the JD to take possession, No reply was given by JD. I agree with learned counsel If said fact is true, no maintenance charges could be levied. Objections in this regard is thus dismissed.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

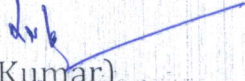
New PWD Rest House, Civil Lines, Gurugram, Haryana

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

Fresh calculation is given by DH today. According to learned counsel, a sum of Rs. 10,70,124/- is due as on today.

This is a petition seeking execution of order passed by the Authority, in favour of DH/complainant. The authority through an order/resolution dated on 16.03.2022 delegated its powers to this forum to execute its orders. As per judgment of Hon'ble High Court of Punjab & Haryana, Chandigarh, in case tilted as M/s International Land Developers Pvt. Ltd. Vs. Aditi Chauhan and others CWP No. 7738 of 2022, and M/s International Land Developers Pvt. Ltd. Vs. Nitin Mathur and others CWP 7750 of 2022 for recovery of amount, recovery certificate is required to be issued to the collector concerned. let file be sent back to the authority with a request to issue recovery certificate/further orders.

Be put up before the Authority on 11.01.2023.


(Rajender Kumar)
Adjudicating Officer
20.12.2022