

PROCEEDINGS OF THE DAY		57
Day and Date	Wednesday and 12.07.2023	
Complaint No.	CR/473/2022 Case titled as Jitender Kumar Vs VSR Infratech Pvt Ltd	
Complainant	Jitender Kumar	
Represented through	Complainant in person with Shri Gaurav Rawat Advocate	
Respondent	VSR Infratech Pvt Ltd	
Respondent Represented	Ms. Shriya Takkar Advocate	
Last date of hearing	17.02.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was received on 09.02.2022 and the reply on behalf of respondent was received on 01.04.2022.

The counsel for the complainant states that the due date for handing over of unit allotted to the complainant was 10.10.2015 and OC for the unit of the complainant was received only on 07.02.2021 and an offer of possession for fit out was made by the respondent on 26.02.2021. The complainant has paid an amount of Rs. 27,99,009/- against the total sale consideration of Rs. 45,05,198/-. The respondent is making unreasonable demands and is liable to pay delayed possession charges. The complainant is seeking relief of delayed possession charges and possession.

The counsel for the respondent states that the allotment of the said unit stands cancelled on 10.02.2022 on account of default in making due payment inspite of repeated reminders. The complainant has not challenged the cancellation in this matter. She further refers to para No.3 of BBA wherein the total cost of the unit has been shown as Rs.42,73,972/- plus IFMS of Rs.78,469.5 and states that all taxes, duties, levies etc. shall be paid in addition to the basic sale price.

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The counsel for the complainant states that the cancellation was done by the respondent after filing of complaint and therefore, there was no question of challenging the same as it happened post filing of the complaint.

Arguments heard.

Order reserved.

Matter to come up on **20.09.2023** for pronouncement of order.


Ashok Sangwan
Member
12.07.2023