



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

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CR/4747/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

On last date of hearing dated 29.10.2024 the respondent was given show cause notice under Section 63 of the Act, 2016 as to why penalty of Rs.5 Lakhs may not be imposed for violation of directions of this authority. The respondent was further directed to submit the relevant documents within a period of 3 weeks i.e., by 19.11.2024 failing which the respondent shall be liable to pay penalty of ₹10,000/- per day for each day of default. The respondent has not submitted the required documents in the authority till date.

The counsel for the respondent states at bar that the said plot is not available and can offer a new plot.

Succinct facts of the case are as under:

S.N.	Particulars	Details
1.	Name of the project	"Signature Plus", Sector 82, Gurugram.
2.	Allotment letter	07.06.2008
3.	Plot no.	68/240/Simplex/BR admeasuring 1527 sq. ft. (Page 88 of complaint)
	Changed unit vide addendum dated 26.03.2012	18/240/Simplex/ST. 82 D1-4 admeasuring 1527 sq. ft. (page 130 of complaint)
4.	Date of execution of plot buyer's agreement	27.11.2009 [Page 85 of complaint]
5.	Complainant is a subsequent allottee and was endorsed on	05.09.2011 (page 128 of complaint)
6.	Possession clause	11.1 Schedule for possession of the said unit <i>The Company based on its present plans and estimates and subject to all just exceptions,</i>

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016

भू-संपदा (विलियमन और विकास) अधिनियम, 2016 की धारा 20 के अर्तगत गठित प्राधिकरण



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		<i>contemplates to complete the development of the said township or the sector/part thereof where the said plot is proposed to be located, within a period of three years from the date of execution of this agreement. However, in case the Company is not able to adhere to the said time frame, it shall be entitled to reasonable extension of time for completing the construction, unless there shall be delay or there shall be failure due to reasons mentioned in clauses (12.1),(12.2),(12.3) and clause (38) or due to failure of applicant(s) to pay in time the price of the said Unit along with all other charges and dues in accordance with the schedule of payments given herein in Annexure III or as per the demands raised by the Company from time to time or any failure on the part of the applicant(s) to abide by any of the terms or conditions of this Agreement . (Emphasis supplied)</i>
7.	Due date of possession	27.11.2012
8.	Total sale consideration	Rs. 88,46,000/- as per statement of account dated 15.07.2022 (Page 25 annexure R-2 of reply)
9.	Paid up amount	Rs. 26,65,355/- as per statement of account dated 15.07.2022 (Page 25 annexure R-2 of reply)
10.	Occupation certificate	Not obtained
11.	Offer of possession	Not offered



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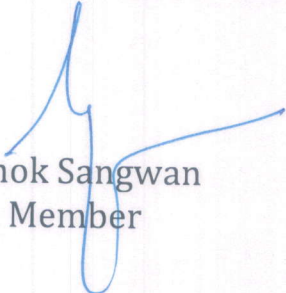
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Arguments heard.

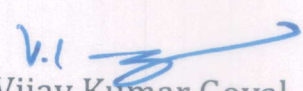
Order reserved.

Parties may file brief written submissions within a period of 2 weeks with an advance copy to each other.

Matter to come up on 08.04.2025 for pronouncement of order.


Ashok Sangwan
Member


Arun Kumar
Chairman
11.02.2025


Vijay Kumar Goyal
Member