

PROCEEDINGS OF THE DAY		51
Day and Date	Tuesday and 28.03.2023	
Complaint No.	CR/4793/2021 Case titled as Sikha Gupta and Sunita Rani Vs AKME projects limited & Grand Star Reality Private Limited	
Complainant	Sikha Gupta and Sunita Rani	
Represented through	Shri Vijender Parmar Advocate	
Respondent	AKME projects limited & Grand Star Reality Private Limited	
Respondent Represented	Shri Rajat Kadyan Adv for R1 Shri Satish Tanwar proxy counsel for R2	
Last date of hearing	13.01.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

On the last dated of hearing i.e. 13.01.2023, the complainant filed written submissions. Vide proceedings of even date the respondents were directed to file written submissions in this regard. However, till date no written submissions has been filed by the complainant.

The counsel for the complainant states that respondent No.1 had obtained a loan against the project in which the unit of the allottee was allotted and BBA had also been signed on 20.04.2012. However, due to default of respondent No.1, the project was sold under the SARFAESI Act to respondent No.2 through open auction on 17.06.2016 with clear understanding that the said project was being handed over to the respondent No.2 with rights of the allottees intact and respondent No.2 further seek the necessary approvals including transfer of licence required to complete the project.

However, both respondent No.1 & 2 went against the orders of the sale of the property in DRT/DRAT. Now, as on date there is no stay or adverse order on the sale/transfer of the project. Therefore, respondent No.2 cannot shy away from its responsibility and is liable to comply with the provisions of Act, 2016.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CRP/193/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

The complainant is seeking delayed possession charges and physical possession of the unit.

The counsel for respondent No.2 states that written submissions are being filed in the registry of the authority within 2 days with an advance copy to the counsel for the complainant which is supplied during proceedings.

The case has been pending since 07.12.2021 and no further date can be given.

Replies and written arguments are on record.

Order reserved.

Matter to come up on 24.05.2023 for pronouncement of order.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member
28.03.2023