



**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

<b>PROCEEDINGS OF THE DAY</b>		<b>50</b>
Day and Date	Wednesday and 03.07.2024	
Complaint No.	CR/4855/2023 Case titled as Ghan Shyam Sharma and Lokesh Sharma VS Raheja Devlopers Limited & PNB Housing Finance Limited	
Complainant	Ghan Shyam Sharma and Lokesh Sharma	
Represented through	Shri Yogesh Kumar Goyal Advocate	
Respondent	Raheja Devlopers Limited & PNB Housing Finance Limited	
Respondent Represented through	Ms. Harshita Setia proxy counsel for R1 Ms. Sreeradha Sen Advocate on behalf of R2	
Last date of hearing	13.03.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
<b>Proceedings</b>		
The present complaint has been received on 25.10.2023 and the reply on behalf of respondent no.2 was received on 31.01.2024 and the defence of the respondent no.1 was struck off on 13.03.2024.		
Succinct facts of the case as per complaint and annexures are as under:		
<b>S. N.</b>	<b>Particulars</b>	<b>Details</b>
1.	Name of the project	"Raheja Vanya", Gulmohar Tower, Sector 99A, Gurugram, Haryana
2.	Project area	2.28 acres
3.	Nature of the project	Group Housing Project
4.	DTCP license no. and validity status	64 of 2013 dated 20.07.2013 valid upto 19.07.2017   72 of 2014 dated 01.08.2014 valid upto 31.07.2019
5.	Name of licensee	Ajit Kaur D/o Pritpal singh



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CR/4855/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

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6.	RERA Registered/Not Registered	8(a) of 2018 dated 01.02.2018 Valid upto 31.12.2022
7.	Unit no.	A-076, 7 <sup>th</sup> floor, Tower-A (Page no. 29 of the complaint)
8.	Unit area admeasuring	984.45 sq. ft. (carpet area) (Page no. 29 of the complaint)
9.	Date of execution of agreement to sell	06.06.2017 (Page no. 24 of the complaint)
10.	Date of tripartite agreement	29.08.2017 (page 17 of R-2 reply)
11.	Date of allotment letter	13.06.2017 (Page no. 23 of the complaint)
12.	Possession clause	<b>19. POSSESSION OF THE APARTMENT</b> <b>19.1</b> <i>"The Company agrees and understands that timely delivery of possession of the Apartment is the essence of the Agreement. The Company, based on the approved plans and specifications, assures to hand over possession of the Apartment in a period of 48 Months plus/minus 6 Months variable grace period ("Commitment Period") from the date of execution of this Agreement for sale... "</i> <i>[emphasis supplied]</i> (Page no. 38 of the complaint).
13.	Due date of possession	06.12.2021 [48 months from the agreement to sell i.e., 06.06.2017 + 6 months grace period allowed being unqualified]
14.	Total sale consideration	Rs.73,52,176/- (exclusive of taxes) (As per BBA on page no. 52 of the complaint)



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CR/4859/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

15.	Amount paid by the complainants	Rs.39,30,917/- (As alleged by the complainant on page no. 17 of the complaint)
16.	Occupation certificate	Not obtained
17.	Offer of possession	Not offered

The proxy counsel for the respondent No.1 seeks an adjournment as the main counsel is not available today. The defence of the respondent No.1 is already struck off on account of non filing of reply. The matter is pending since 25.10.2023 and there is no justification to further adjourn the matter. However, in the interest of justice, the parties may file written submissions within a period of 2 weeks with an advance copy to each other.

Respondent No.1 is also directed to file the updated statement of account for the unit of the complainant alongwith written submissions.

Order reserved.

Matter to come up on 28.08.2024 for pronouncement of order.

Ashok Sangwan  
Member  
03.07.2024