



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

PROCEEDINGS OF THE DAY

13

Day and Date	Tuesday and 25.07.2023
Complaint No.	CR/4897/2022 Case titled as NBCC HEIGHT RWA Vs NBCC India Limited
Complainant	NBCC HEIGHT RWA
Represented through	Shri Nitesh Banka Advocate
Respondent	NBCC India Limited
Respondent Represented	Ray Vikram Nath Advocate
Last date of hearing	18.07.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 12.07.2022 and the reply on behalf of respondent has been received on 14.02.2023.

The succinct facts of the case are as follows:

Sr. No.	Particulars	Details
1.	Name of the project	NBCC Hights RWA, Sector-89
2.	Total area of the project	11.300 acres
3.	Nature of the project	Group Housing Colony
4.	DTCP license no.	04 of 2009 dated 13.02.20009 valid upto
5.	Name of licensee	National Building Corporation Limited
6.	Registered/not registered	Not Registered
7.	Total no. of towers in the project	10 Towers, EWS, Community HALL, Shopping complex and Nursery School
8.	Occupation certificate	19.07.2017



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CA/4897/2022

New FWD Rest House, Civil Lines, Gurugram, Haryana

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9.	NBCC Heights RWA Complainant herein through Sh. Randhir Singh Redhu and Dr. Kulbir Singh	(Page 37 of the complaint) Registered vide No. HR-18-2018-03437 dated 25.09.2018 under the Haryana Registration and Regulation of Societies Act 2012
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Relief sought by the complainants: -

1. Direct the respondent that entire IFMS deposit along with interest @, the authority deemed feet accrued thereon w.e.f. 1st May 2020 (The date of handing over of common area maintenance to owners' association) is handed over to a duly elected body of apartment owners till date of payment it.
2. Direct the respondent to cancel the allotment of common facilities and hand over all the common area facilities/amenities of the project such as covenant shopping and nursery school to Flat owners Association.
3. To order the respondent for third party structural audit from a reputed Govt. agency as per clause 10.2.4 of Memo Misc-2339-(HIBC)-Loose-11/7/9/2022- 2TCP dated 27-06-2022 Haryana Building code 2017.
4. To order the respondent to reconstruct the tilted and collapsed boundary wall on priority.
5. Direct the respondent to submit deed of declaration of common amenities duly vetted by the authority.
6. To order the respondents to complete pending works to the satisfaction of this authority in a time bound manner and obtain completion certificate from the competent authorities.
7. To order the respondents to deposit their share of common area maintenance charges of all the flats due from 1st May 2020 to the date of possession of the respective flat.
8. To order the respondents to handover all the inventories of the common area structure as defined in clause 3 of HAOA 1983 to the owners Association.
9. To order the respondents to transfer the common area maintenance collected from the allottees for the month of April 2020.
10. To order the respondent to transfer unspent amount of CAM for the period of April 2019 to May 2020.
11. To order the respondent to allot parking space conforming to Haryana building code 2017 where allotted parking spaces are smaller in size or



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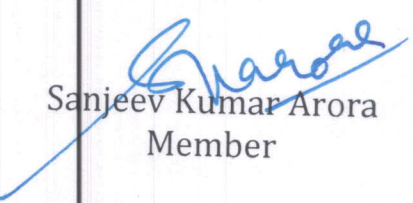
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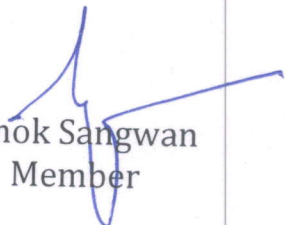
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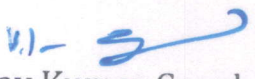
- have accessibility problem.
12. To order the respondent to replace faulty solar water heating system.
 13. Order the respondent to get renewed Consent to Operate Sewage Treatment Plant, NOC from Chief Electrical Inspector and Department of Environment.

Both the parties are directed to submit written submissions not more than 3 pages within a period of 15 days with an advance copy to each other.

Matter to come up on **10.10.2023** for final arguments.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member


Vijay Kumar Goyal
Member
25.07.2023