



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		12-18
Day and Date	Tuesday and 05.03.2024	
Complaint No.	MA NO. 24/2024 in CR/4916/2022 Case titled as Dr. Lt. Col. Binny Kohli VS Neo Developers Private Limited	
Complainant	Dr. Lt. Col. Binny Kohli	
Represented through	Ms Sapna Malik, Advocate	
Respondent	Neo Developers Private Limited	
Respondent Represented through	Shri Venkat Rao, Advocate	
Last date of hearing	Application u/s 39	
Proceeding Recorded by	H.R.MEHTA	

Proceedings

The present complaint was received on 09.08.2022 and reply on behalf of respondent was filed on 17.01.2023.

The complainants had purchased 7 units in the present project i.e. 'Neo Square' situated in Gurgaon and had separately applied for the allotment of 2 other residential units in a different project i.e. 'Capital Residency' at New Delhi. Due to their personal reasons, the complainants surrendered their allotment in both projects of the respondent i.e. Neo Square and Capital Residency and requested for refund of he paid up amount towards the sale consideration of the unit.

The respondent had refunded an amount of Rs. 24,20,832/- against the 2 units booked by the complainants in the project 'Capital Residency' and Rs. 5,79,168/- (after deduction of earnest money, assured return already paid to the complainants etc) against the 7 units booked in the instant project i.e. 'Neo Square'.

Thereafter, the present complainants had filed a consumer complaint bearing No. 732 of 2021 titled as "Mr. Rajesh Banbah & Anr. vs Neo Developers Pvt.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MA No - 29/2024/CR/4918/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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


Ltd." before the Ld. District Consumer Dispute Redressal Commission, Gurgaon (hereinafter referred to as the "DCDRC") wherein, the complainants had sought refund of the amounts paid against the allotment of two (2) shops in the project "Capital Residency". Accordingly, the Ld. DCDRC passed the Final Order dated 05.05.2023. As per the observations of the Hon'ble DCDRC recorded in the said Order, the amounts refunded by Neo Developers Pvt. Ltd to the complainants pertains to the Project "Nep 3 Square" only.

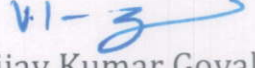
That the said order was brought to the knowledge of the Id. authority during the hearing dated 04.07.2023.

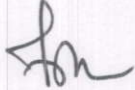
The respondent builder filed a rectification application dated 11.01.2024 under section 39 of the Act for the rectification of jimny order dated 04.07.2023 and modification of order dated 31.10.2023.

The counsel for the complainant has supplied a copy of reply to the application filed by the respondent for rectification of the proceedings dated 4.7.2023 and 31.10.2023. Copy of reply supplied to the counsel for the respondent and also placed on record.

Matter to come up on 09.04.2024 for further proceedings.


Sanjeev Kumar Arora
Member


Vijay Kumar Goyal
Member


Arun Kumar
Chairman
05.03.2024