



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

16

Day and Date	Wednesday and 02.04.2025
Complaint No.	CR/50/2024 Case titled as Dr. Harmeet Singh Kapoor and Dr. Satvinder Kapoor VS NEO Developers Private Limited
Complainant	Dr. Harmeet Singh Kapoor and Dr. Satvinder Kapoor
Represented through	Shri Rajinder Singh Advocate
Respondent	NEO Developers Private Limited
Respondent Represented	Shri Pankaj Chandola Advocate
Last date of hearing	22.01.2025
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 24.01.2024 and reply on behalf of respondent was received on 24.04.2024.

Succinct facts of the case as per complaint and reply are as under: -

S. N.	Particulars	Details
1.	Name of the project	Neo Square, Sector-109, Gurugram
2.	Project area	2.71 acres
3.	Nature of the project	Commercial colony
4.	Unit no.	Unit no.-58-C, Ground floor (As on page no. 36 of complaint)
5.	Unit area admeasuring	275 sq.ft. (As on page no. 36 of complaint)
6.	Date of MoU	01.11.2016 (As on page no. 19 of complaint)
7.	Date of execution of apartment buyer's agreement	01.11.2016 (As on page no. 32 of complaint)



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CR/50/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

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8.	Possession clause	11. That the company shall complete the construction of the said building/complex within which the said space is located within 36 months from the date of execution of this agreement or from the start of construction whichever is later and apply for grant of completion/occupancy certificate. The company on grant of occupancy/completion certificate shall issue final letters to the allottee who shall within 30 days, thereof remit all dues. (As on page no. 22 of complaint)
9.	Date of start of construction	The Authority has decided the date of start of construction as 15.12.2015 which was agreed to be taken as date of start of construction for the same project in other matters. In CR/1329/2019 it was admitted by the respondent in his reply that the construction was started in the month of December 2015.
10.	Due date of possession	01.11.2019 (Calculated from date of agreement being later)
11.	Basic sale consideration	Rs. 22,68,750/- (As on page no. 23 of complaint)
12.	Amount paid by the complainant	Rs. 23,70,844/- (As on page no. 23 of complaint)
13.	Occupation certificate	14.08.2024 (as per DTCP website)
14.	Offer of possession	Not offered
15.	Reminder	30.10.2020 (page 72 of complaint)
16.	Final Notice	07.06.2021 (page 73 of complaint)

The complainant is seeking payment of assured return, DPC, setting aside of VAT demand and execution of CD.

The counsel for the respondent states that the Authority does not have jurisdiction in matters of assured return and the matter challenging the same is pending before the Hon'ble Punjab and Haryana High Court. Further, the respondent is covered under the amnesty scheme of the Government under



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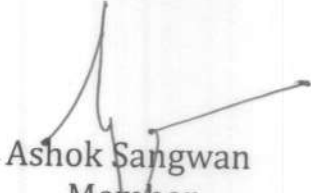
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which the VAT demand has been raised validly. Further, the unit of the complainant already stands terminated on account of non payment of VAT demand.

Heard.

Order reserved.

Matter to come up on **14.05.2025** for pronouncement of order.


Ashok Sangwan
Member
02.04/2025