

PROCEEDINGS OF THE DAY
11

Day and Date	Friday and 25.04.2025
Complaint No.	CR/5046/2023 Case titled as Chetan Pal Singh VS BD Infradevelopers Private Limited
Complainant	Chetan Pal Singh
Represented through	Shri Rajesh Kumar clerk of Shri Sanjeev Kumar Sharma Advocate
Respondent	BD Infradevelopers Private Limited
Respondent Represented through	Shri Animesh Goyal Advocate
Last date of hearing	24.01.2025
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The complaint has been received on 06.11.2023 and reply has been received on 15.03.2024.

Succinct facts of the case as are as under:

S.no.	Particulars	Details
1.	Name and location of the project	"Ultimus, Gurugram
2.	Nature of the project	Residential project with commercial complex (Affordable)
3.	Project area	5 acres
4.	DTCP License	30 of 2019 dated 28.02.2019 valid till 27.02.2024
5.	Name of the licensee	Fortune Land and Housing Private Limited & 3 others
6.	HRERA registered/ not registered	Registered vide no. 72 of 2019 dated 23.12.2019 valid till 01.01.2024

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी. डब्ल्यू. टी. विभाग गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

7.	Application dated	24.12.2019 (As per page no. 19 of complaint)
8.	Date of execution of apartment buyer's agreement	03.06.2020 (As per page no. 17 of complaint)
9.	Unit no.	A3 001 on Ground floor, tower A3 (As per page no. 19 of complaint)
10.	Super Area	613 sq. ft. (As per page no. 19 of complaint)
11.	Total consideration	Rs. 24,92,562/- (As per BBA, page no. 22 of the complaint)
12.	Total amount paid by the complainants	Rs. 21,72,744/- (As per page 39 of complaint)
13.	Possession clause	Clause 5.2 (The Developer shall offer possession of the said to the allottee within a period of 4 years from the date of approval of building plans or grant of EC whichever is later)
14.	Date of approval of building plans	11.09.2019 (As per agreement on page 17 of complaint)
15.	Date of EC	Not available
16.	Due date of possession	11.03.2024 (Calculated from the date of approval of building plans in absence date of EC plus grace period of 6 months covid is given)
17.	Demand/Reminders	17.06.2023, 22.06.2023 (Page 6 and 7 of reply)
18.	Pre cancellation letter	27.06.2023, 28.06.2023 (Page 8 of reply)

CR/5046/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विभाग गृह, सिविल लाईन्स, गुरुग्राम, हरियाणा

19.	Final cancellation letter	14.07.2023 (Page 10 of reply) (Newspaper advertisement) 18.11.2023 - Cheque of Rs. 19,15,854/- is affixed with the mail for refund in the name of complaint at page 13 of reply and cheque is of dated 04.11.2023.
20.	Occupation Certificate	Not obtained
21.	Offer of possession	Not offered

The clerk of Shri Sanjeev Kumar Sharma Advocate requests for an adjournment due to non availability of the counsel. Request is allowed.

Both the parties may file brief written submissions within a period of 3 weeks with an advance copy to each other.

Matter to come up on 25.07.2025 for final arguments/orders.

V. I. 
Vijay Kumar Goyal
Member
25.04.2025