

| PROCEEDINGS OF THE DAY | | 51 |
|--------------------------------|---|-----------|
| Day and Date | Thursday and 22.02.2024 | |
| Complaint No. | CR/5246/2022 Case titled as Naresh Kumar Garg and Madhu Garg VS Shree Vardhman Infra Home Private Limited | |
| Complainant | Naresh Kumar Garg and Madhu Garg | |
| Represented through | Shri Harshit Goyal, Advocate | |
| Respondent | Shree Vardhman Infra Home Private Limited | |
| Respondent Represented through | Shri Gaurav Rawat, Advocate | |
| Last date of hearing | 18.1.2024/1.2.2024 | |
| Proceeding Recorded by | Naresh Kumari and HR Mehta | |

Proceedings

The present complaint has been received on 09.08.2022. The reply on behalf of respondent has not been received within the stipulated time period despite service of notice. Therefore, in view of order dated 09.11.2023, the defense of the respondent was struck off.

The counsel for the complainant requests to grant of DPC as the allottee wishes to continue in the project and the complainant has already paid the consideration amount and delay interest in offer of possession may be allowed.

The counsel for the respondent has clarified during proceedings that the date of start of excavation work was 10.3.2012 as per copy of SOA attached at page 89 of the reply and due date is to be counted from start of construction being later which comes to 31.5.2015 plus grace period of 6 months being unconditional. Therefore, the due date of handing over of possession comes to 31.11.2015. The possession has been offered after obtaining OC on 22.4.2022.

Arguments heard.

The delay possession interest is allowed at the prescribed rate i.e. 10.85% p.a. from the due date of handing over of possession i.e. 31.11.2015 till offer of



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CA/5246/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी. इन्फ्रान्स्ट्रक्चर्स, सिविल लाईन्स, गुरुग्राम, हरियाणा

possession i.e. 22.4.2022 plus two months. The respondent to issue revised accounts statement after adjusting DPC amount and to handover the possession to the complainant of the unit within 30 days alongwith execution of conveyance deed within next 30 days after payment of stamp duty charges by the complainant.

Detailed orders will follow.

V.1-3
Vijay Kumar Goyal
Member
22.02.2024