



HARERA
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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

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Day and Date	Wednesday and 23.10.2024
Complaint No.	CR/5262/2023 Case titled as Anruradha Gupta and Anr. VS KPDK Buildtech Private Limited
Complainant	Anruradha Gupta and Anr.
Represented through	Shri Harshit Goyal Advocate
Respondent	KPDK Buildtech Private Limited
Respondent Represented	Shri Harshal proxy counsel
Last date of hearing	14.08.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint has been received on 17.11.2023 and the reply on behalf of respondent has been received on 22.04.2024.

Succinct facts of the case are as under:

S. N.	Particulars	Details
1.	Name and location of the project	"Newtown Square" at Sector 95-A Gurugram
2.	Nature of the project	Commercial Complex
3.	Project area	3.075 acres
4.	DTCP license no.	98 of 2013 dated 09.11.2013 valid upto 08.11.2019
5.	Name of licensee	Mahender Kumar Gupta
6.	RERA Registered/ not registered	192 of 2017 dated 14.09.2017 valid upto 30.11.2018
7.	Unit no.	SA/638, 6 th floor (page 48 of complaint)
8.	Unit area admeasuring (super area)	475 sq. ft. (page 48 of complaint)



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CA 5262/2023

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9.	Date of space buyer's agreement	14.01.2016 (page 30 of complaint)
10.	MoU	05.11.2015 (page 18 of reply)
11.	Possession clause	2.1 Possession <i>Subject to force majeure circumstances..... the Seller proposes to offer possession of the said premises to the purchaser within a period of 36 months from the date of execution of the agreement (Commitment Period) subject to an extension of 6 months grace period.</i> (page 37 of reply)
12.	Due date of possession	14.07.2019 (grace period of 6 months is allowed being unqualified)
13.	Total sale consideration	Rs. 41,32,500/- [as per payment plan at page 49 of complaint]
14.	Amount paid by the complainant	Rs.40,15,418/- [as per SOA on page 25 of reply]
15.	Occupation certificate	Not on record
16.	Offer of permissive possession for fit-outs	21.10.2019 (page 52 of complaint)
17.	Surrender request in view of letter dated 21.03.2023	05.10.2023 (page 55 of complaint)

The proxy counsel for the respondent seeks a short adjournment as the main arguing counsel is not available today. The counsel for the complainant vehemently objects to the same and states that the complaint was filed almost one year ago and adjournment may not be granted.

The authority sees no reason to grant any further adjournment in the matter. Pleadings are already on record. However, in the interest of justice, the parties may file written submissions within a period of 2 weeks with an



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CR/5262/2023

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advance copy to each other.

Order reserved.

Matter to come up on 04.12.2024 for pronouncement of order.

Ashok Sangwan
Member
23.10.2024