



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

58

Day and Date	Thursday and 27.07.2023
Complaint No.	CR/5405/2022 Case titled as Kuljot Singh Gavarhia Vs SS Group Private Limited
Complainant	Kuljot Singh Gavarhia
Represented through	S/Shri Manan Batra and Rohit Agarwal Advocates
Respondent	SS Group Private Limited
Respondent Represented	Shri Rahul Bhardwaj Advocate
Last date of hearing	14.02.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint has been filed 04.08.2022 on and the reply on behalf of respondent was received on 28.02.2023.

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

S.N.	Particulars	Details
1.	Name of the project	"The Leaf", Sector 85, Gurugram
2.	Nature of project	Group Housing Complex
3.	RERA Registered/ Not Registered	Registered 23 of 2019 dated 01.05.2019
4.	DTPC License no.	81 of 2011 dated 16.09.2011
5.	Unit no.	3B, 3 rd floor, Building 10



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/5105/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

		[page no. 41 of complaint]
6.	Unit measuring	2280 Sq. Ft. (Page no. 41 of complaint)
7	Date of allotment	10.09.2012 (Page no, 28 of complaint)
8	Date of execution of floor buyer's agreement	24.09.2013. (Page no. 39 of complaint)
9.	Possession clause	8. Possession 8.1 Time of handing over the possession the developer proposes to handover the possession of the flat within a period of thirty six months from the date of signing of this agreement.
10.	Due date of possession	24.09.2016 (Calculated from the date of signing of buyer agreement) Grace period not allowed
11.	Total sale consideration	Rs. 1,23,03,720/- (Page no. 41 of complaint)
12.	Total amount paid by the complainant	Rs. 93,32,544/- (As alleged by the complainant)
14.	Occupation certificate	09.05.2022

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अर्तगत गठित प्राधिकरण



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/5405/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

	dated	(As per page no. 85 of reply
15.	Notice for Offer of possession	12.05.2022 (As per page no. 119 of the complaint)

The complainant has sought following relief:

- 1. Direct the respondent to handover the possession of the unit and pay delay possession charge at the prescribed rate of interest.**

The complainant obtained occupation certificate on 09.05.2022 and the possession has been offered by the respondent to the complainant on 12.05.2022.

- 2. Direct the respondent to pay input tax credit on the GST amount paid to the complainant.**

The counsel for the complainant submits that while offering possession, the interest at the rate of 18% is being levied on the outstanding amount by the allottee and while DPC is adjusted only at the rate of Rs.5/- per sq. ft for 12 months only. The RERA provides that equitable rate of interest shall be charged from the complainant allottee for the delayed payment which is outstanding, if any.

Arguments heard.

Order reserved.

Detailed order will follow. Matter stands disposed off. File be consigned to the registry.

V.1 - 3
Vijay Kumar Goyal
Member
27.07.2023