



**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**

**17**

|                        |                                                                               |
|------------------------|-------------------------------------------------------------------------------|
| Day and Date           | Tuesday and 08.04.2025                                                        |
| Complaint No.          | CR/5592/2024 Case titled as Md Hasnuzzaman VS Sunrays Heights Private Limited |
| Complainant            | Md. Hasnuzzaman                                                               |
| Represented through    | Shri Shashi Kant Sharma Advocate                                              |
| Respondent             | Sunrays Heights Private Limited                                               |
| Respondent Represented | Ms. Deepali proxy counsel                                                     |
| Last date of hearing   | Application u/s 36 of the Act                                                 |
| Proceeding Recorded by | Naresh Kumari and HR Mehta                                                    |

**Proceedings**

The present complaint was filed on 27.02.2025 and an application u/s 36 of the Act, 2016 on 19.11.2024.

| S. N. | Particulars                       | Details                                                                                |
|-------|-----------------------------------|----------------------------------------------------------------------------------------|
| 1.    | Name of the project               | "Sixty-Three Golf Drive", Sector 63A Gurugram                                          |
| 2.    | Nature of the project             | Affordable group housing                                                               |
| 3.    | RERA registered or not registered | 249 of 2017 dated 26.09.2017 valid up to 25.09.2022                                    |
| 4.    | DTCP license                      | 82 of 2014 dated 08.08.2014 valid up to 31.12.2023                                     |
| 5.    | Unit no.                          | H-55, Tower-H<br>(page 41 of complaint)                                                |
| 6.    | Unit admeasuring                  | 366.25 sq. ft. (carpet area)<br>69.84 sq. ft. (balcony area)<br>(page 41 of complaint) |





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|     |                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7.  | Date of execution of Buyers agreement | 09.07.2019<br>(page 26 of complaint)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 8.  | Possession clause                     | <p><b>4-Possession</b><br/>The developer shall endeavour to handover possession of the said flat within a period of four years i.e. 48 months from the date of commencement of project, subject to force majeure &amp; timely payment by the allottee towards the sale consideration, in accordance with the terms as stipulated in the present agreement.</p> <p><b>*Note: As per affordable housing policy 2013</b><br/>1(iv) All such projects shall be required to be necessarily completed within 4 years from the approval of building plans or grant of environmental clearance, whichever is later. This date shall be referred to as the "date of commencement of project" for the purpose of this policy. The licence shall not be renewed beyond the said 4 years from the date of commencement of project.</p> |
| 9.  | Date of building plan                 | 10.03.2015                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 10. | Date of environment clearance         | 16.09.2016                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 11. | Due date of possession                | 16.03.2021<br>(16.09.2020 plus six months in lieu of covid-19 calculated from the date of environment clearance)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12. | Total sale consideration              | Rs.14,99,920/-<br>(page 41 of complaint)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 13. | Amount paid by the complainant        | Rs.12,15,952/-<br>(page 47 demand letter dated 15.05.2023)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 14. | Occupation certificate                | To ascertain                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 15. | Offer of possession                   | To ascertain                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

The proxy counsel for the respondent requests for a short adjournment to file reply to the complaint.

The counsel for the respondent states that the respondent has not cancelled the unit of the complainant and has no intention of doing so. The application us 36 of the Act stands disposed of accordingly.





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Further, the counsel for the complainant states that the complainant has paid more than 85% cost of the consideration for the unit and the possession is yet to be handed over.

The counsel for the respondent states that occupation certificate for the unit has been received on 31.12.2024 and offer of possession is being sent to the complainant very shortly. Further, he states that the complainant has approached the NCLT Delhi Bench for relief of refund and the matter is fixed for hearing on 24.04.2025 in case No.IB-48 of 2025. The relief in NCLT is contradictory to the relief being sought in the Authority.

The respondent is directed to submit updated statement of account taking into consideration the delayed possession charges as well interest on payment of delayed installments in terms of the payment plan. The interest rate shall be the equitable interest i.e. 11.10% per annum (SBI MCLR + 2%) within a period of 2 weeks with advance copy to the counsel for the complainant. The complainant may file the response to the same within a period of 2 weeks thereafter.

Order reserved.

Matter to come up on 20.05.2025 for pronouncement of order.

Ashok Sangwan  
Member

Arun Kumar  
Chairman  
08.04.2025

Vijay Kumar Goyal  
Member