



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

58

Day and Date	Friday and 09.02.2024
Complaint No.	CR/569/2023 Case titled as Prateek Sahdev VS Pivotal Infrastructure Private Limited
Complainant	Prateek Sahdev
Represented through	Shri Vijay Pal Chauhan Advocate
Respondent	Pivotal Infrastructure Private Limited
Respondent Represented	Shri Siddharth Sejwal AR
Last date of hearing	03.11.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 10.02.2023 and the reply on behalf of the respondent was filed on 16.08.2023.

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

S.N.	Particulars	Details
1.	Name and location of the project	"Riddhi Siddhi" at sector 99, Gurgaon, Haryana
2.	Nature of the project	Affordable Group housing
3.	Project area	6.19375 acres
4.	DTCP license no.	86 of 2014 dated 09.08.2014 valid upto 08.08.2019
5.	RERA Registered/ not registered	Registered vide no. 236 of 2017 dated 19.09.2017 valid upto 08.08.2019
6.	Registration extension vide no.	Harera/GGM/REP/RC/236/2017/EXT/177/2019 dated 30.12.2019 valid upto 31.08.2020
7.	Allotment Letter	05.09.2015 (Page no. 16 of complaint)



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CR 569/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

8.	Unit no.	208, 2 nd floor, Tower-T8 (page 23 of complaint)
9.	Unit area admeasuring	487 sq. ft. (Carpet area) (page 23 of complaint)
10.	Date of builder buyer agreement	18.09.2015 (Page 23 of complaint)
11.	Date of building plan approval	17.10.2014 (page 19 of reply)
12.	Environmental clearance dated	22.01.2016 (page 25 of reply)
13.	Possession Clause	8.1 EXPECTED TIME FOR HANDING OVER POSSESSION Except where any delay is caused on account of reasons expressly provided for under this Agreement and other situations beyond the reasonable control of the Company and subject to the Company having obtained the occupation/completion certificate from the competent authority(ies), the Company shall endeavor to complete the construction and handover the possession of the said Apartment within a period of 4 years from the date of grant of sanction of building plans for the Project or the date of receipt of all the environmental clearances necessary for the completion of the construction and development of the Project, whichever is later, subject to timely payment by the Allottee of all the amounts payable under this Agreement and performance by the Allottee of all other obligations hereunder.
14.	Due date of possession	22.01.2020 [Due date of possession calculated from the date of environmental clearance dated 22.01.2016]



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R/569/2023

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15.	Total sale consideration	Rs. 19,98,000/- (as per BBA on page no. 25 of complaint)
16.	Amount paid by the complainant	Rs. 20,63,876/- (As alleged by complainant)
17.	Occupation certificate	Not yet obtained
18.	Offer of possession	Not offered

The counsel for the complainant is seeking DPC as the due date of possession was 22.01.2020 and no offer has been made till now.

The counsel for the respondent states that they have applied for OC and the same is expected to be received within 3 months and further stated that they are ready to pay the DPC as per RERA norms on the basic amount received from the complainant.

Arguments heard.

Order reserved.

Matter to come up on 29.03.2024 for pronouncement of order.


Sanjeev Kumar Arora
Member
09.02.2024