



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

Day and Date	Tuesday and 03.03.2020
Complaint No.	CR/5699/2019 Case titled as Dejee Singh V/S Sana Realtors Private Limited
Complainant	Dejee Singh
Represented through	Shri Abhinav Mishra, Advocate
Respondent	Sana Realtors Private Limited
Respondent Represented through	Shri Raja Chatterjee Advocate
Last date of hearing	15.01.2020
Proceeding Recorded by	Naresh Kumari

Proceedings

Since the project is not registered, notice under section 59 of the Real Estate (Regulation & Development) Act, 2016, for violation of section 3(1) of the Act be issued to the respondent which will be decided separately) Registration branch is directed to do the needful. A copy of this order be sent to the Registration Branch for taking necessary action.

Part arguments heard.

After due deliberations, it has come on surface that the respondent is unable to bring on record the following documents:-

- (i) Occupation Certificate
- (ii) Offer of possession letter alongwith delivery tracking report.
- (iii) Approved building plans
- (iv) Completion plan on the basis of which occupation certificate has been obtained.



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(v)

Deed of declaration submitted in the office of DTCP, Haryana within three months from the date of issue of occupation certificate.

Reply has not yet been filed by the respondent. Respondent is directed to file reply within two weeks with an advance copy to the complainant. The respondent is directed to bring on record copies of above mentioned documents within three days. However, keeping in view his lackadaisical approach, a costs of Rs.1,000/- is imposed upon the respondent which is to be paid to the complainant on the next date of hearing. Till the actual delivery of possession, no maintenance charges shall be levied on the complainant/home buyer by the respondent.

Matter is adjourned to 21.04.2020 for submission of aforesaid documents by the respondent. The complainant shall also submit the actual area plan for the allotted unit on the next date of hearing. Remaining arguments shall also be heard on that date.

It has been contended by the counsel for the complainant that despite making 95% payment approximately against a total amount of sale consideration, the complainant is not allowed to visit the site despite repeated requests. It is high handedness on the part of the promoter. Promoter is directed to allow the complainant to visit his allotted unit failing which consequential action shall be taken against the promoter. Complainant shall submit a report in this regard. Counsel for the respondent is directed to facilitate the visit of the complainant.


Samir Kumar
(Member)
03.03.2020


Subhash Chander Kush
(Member)