

PROCEEDINGS OF THE DAY

21

Day and Date	Tuesday and 17.01.2023
Complaint No.	CR/571/2021 Case titled as SOMVEER Vs APEX BUILDWELL PVT LTD
Complainant	SOMVEER
Represented through	Shri Vijender Parmar Advocate
Respondent	APEX BUILDWELL PVT LTD
Respondent Represented	Shri Anmol Saxena Advocate
Last date of hearing	22.09.2022
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The counsel for the complainant states that the complainant paid an amount of Rs.14,33,548/- to the respondent for allotment of a shop in a commercial project called as Our Bazaar in Sector 37C Gurugram against a total sale consideration of Rs.16,73,098/-. However, no allotment or BBA has been provided to him despite repeated requests to do so. The complainant is unable to show any receipt or proof regarding the alleged payment of Rs.14,33,548/- to the respondent apart from the bank statement pertaining to 15.03.2019 for payment of Rs.9,77,518/- to M/s Apex Buildwell Pvt. Ltd. The counsel for the complainant also refers to para No.10 of the reply of the respondent wherein it has been specifically denied that the complainant made any payments qua any specific shop. It has been stated further that at Max it seems that the payment has been made on account of some other customer and the complainant is trying to take wrongful advantage of the same by seeking refund of the said amount.

The complainant further refers to the receipt dated 16.03.2020 issued by M/s Apex Buildwell Pvt. Ltd. showing the amount credited to the account of one Sukhvir, resident of Dhani Mauji, Churu, Rajasthan.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/S-11/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

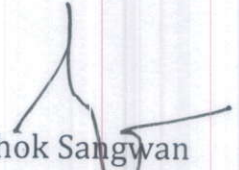
The counsel for the respondent states that the complaint is frivolous and the complainant has no locus to file the complaint as no allotment has been made to him nor any proof of having made any payment has been brought on record. He further states that the complainant not being an allottee of the respondent has no right to file the present complaint.

Arguments heard.

Order reserved.

Matter to come up on 31.03.2023 for pronouncement of order.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member
17.01.2023