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HARYANA REAL ESTATE REGULATORY AUTHORITY
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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

S3

Day and Date	Friday and 08.12.2023
Complaint No.	CR/5758/2022 case titled as Kuldeep Kaur and Chetan Rishi versus Silverglades Infrastructure Pvt. Ltd.
Complainant	Kuldeep Kaur and Chetan Rishi
Represented through	Shri Umesh Gulati Advocate
Respondent	Silverglades Infrastructure Pvt. Ltd.
Respondent Represented	Shri Harshit Batra Advocate
Last date of hearing	01.12.2023
Proceeding Recorded by	Naresh Kumari

Proceedings

The present complaint was filed on 18.08.2022 and reply on behalf of respondent was filed on 09.08.2023.

The counsel for the complainant states that the complainants have booked a unit and allotment of which was made on 05.01.2022 and paid a sum of Rs. Rs. 70,79,985/- against a total sale consideration of Rs. 3,78,62,500/- which is as per Annexure C4, at page 29 and which is dated 05.01.2022 and further demands were raised by the respondent on 03.05.2022 and reminder for the same was sent on 30.05.2022 and 10.06.2022 and in the demand letter which is annexure R5 page 24, the due date of payment was specifically mentioned as 20.05.2022.

The counsel for the respondent states that even after specific reminder and demand letter/payment request letter dated 03.05.2022 in which a specific due date of payment was mentioned which is 20.05.2022 and in which a credit of previous amount lying with the respondent was also adjusted and finally a sum of Rs.50,70,015/- was demanded and interest of Rs.5763/- was also charged on the same and total amount payable by the complainant was Rs.50,75,778/- and further it was clarified in that letter that any delay in payment beyond the due date shall further attract interest charges as well as timely payment rebate discount shall be duly reversed as per terms of agreement of sale and further reminders were sent



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on 30.05.2022 and 10.06.2022 in which it was clearly mentioned that now the allottee shall not be entitled for the benefit of timely payment rebate and since the total payment made by the allottee is delayed cumulatively for more than 30 days timely payment discount is withdrawn and total sale value of the unit shall stands revised to Rs.3,78,62,500/- and further to that revised dues based on new TSB were also intimated which comes out to Rs.58,01,901/- as on 30.05.2022 and further reminder dated 10.06.2022 an interest of Rs.37,774/- was further levied for 21 days over due payment and hence total amount due as on 10.06.2022 was Rs.51,07,789/- which was demanded from the complainant but the complainant allottee did not pay the same and hence, finally the unit was terminated on 01.08.2022 on account of non-payment as well as non-coming forward of the complainant allottee for registration of the BBA.

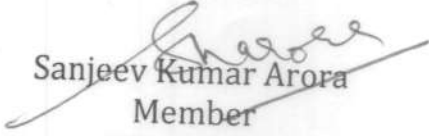
The counsel for the complainant requests for sometime to place some additional documents on record with regard to the compliances/response on the part of the complainant.

The counsel for the respondent further stated that since the respondent had issued a cheque on the date of cancellation and the complainant did not come forward to collect the same, hence, the respondent is not liable to pay interest on the amount of refund as the funds were ready with the respondent and lying idle since then.

The counsel for the complainant states that they are ready to make the payment right now in one go of the entire amount within a week if cancellation is set aside. However, he is seeking time to bring on record some evidences w.r.t the compliances to the reminders sent by the respondent.

Part arguments heard.

Matter to come up on **22.12.2023** for further arguments/order.


Sanjeev Kumar Arora

Member

08.12.2023