PROCEEDINGS OF THE DAY	48
Day and Date	Thursday and 06.03.2025
Complaint No.	CR/587/2024 Case titled as Chandani Kumari VS Sunrays Heights Private Limited
Complainant	Chandani Kumari
Represented through	Shri Sahil Bhardwaj, Advocate (filed POA)
Respondent	Sunrays Heights Private Limited
Respondent Represented through	None
Last date of hearing	14.11.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 15.02.2024 and reply was received on 23.05.2024. The complainant filed an application u/s 36 on 03.07.2024.

None appeared on behalf of the respondent who is given one last opportunity to put in appearance to argue the matter and file written submissions within a period of two weeks with an advance copy to the counsel for the complainant.

The counsel for the complainant further state that the complainant-allottee has paid the last instalment with interest and no amount remains to be paid but still the respondent is threatening for cancellation of the unit and hence requests for interim direction till next date of hearing to not to cancel the unit.

The Authority, vide proceedings dated **23.04.2024** in **CR/1244/2022**, had already directed the respondent/promoter not to cancel the allotted unit of the complainant, wherein 85% of the payment against the unit has already been deposited. The relevant portion of the said proceedings is reproduced below:

> ***The authority hereby directs that no demands shall be raised by the respondent which are not part of the Affordable Housing Policy and no third-party rights shall be created till next date of hearing. Further the promoter is directed not to cancel any unit of the allottees of the project where more than 85% of the amount***

~~*has been deposited and without following the due process prescribed in the Affordable Housing Policy.*~~

In light of the above directions, the respondent is hereby directed not to cancel the allotted unit as more than 85% of the payment has been made by the allottee.

Matter to come up on before **FULL BENCH** on **08.04.2025** as similar cases pertaining to similar issued are of the above project are listed.

Vijay Kumar Goyal
Member
06.03.2025