

PROCEEDINGS OF THE DAY		50-72
Day and Date	Friday and 02.08.2024	
Complaint No.	CR/5981/2022 Case titled as Rajat Jain VS Ninaiya Estate Limited	
Complainant	Rajat Jain	
Represented through	Shri Animesh Goyal Advocate	
Respondent	Ninaiya Estate Limited	
Respondent Represented	Shri Vijender Parmar Advocate	
Last date of hearing	05.07.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 09.09.2022 and the reply on behalf of respondent was filed on 18.04.2024.

S. N.	Particulars	Details
1.	Name and location of the project	"Prism Portico Executive Suite, Sector 89, Pataudi Road, Gurugram, Haryana
2.	RERA Registered/ not registered	Not Registered
3.	Date of agreement to sell	Not executed
4.	Payment receipt dated	02.04.2013 (page no. 17 of complaint)
5.	Unit no.	520 (page no. 12 of complaint)
6.	Unit area admeasuring	550 sq. ft.
7.	Possession clause	NA



HARERA
GURUGRAM

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

8.	Due date of possession	NA
9.	Total sale consideration	NA
10.	Amount paid by the complainant	Rs. 8,93,017/- (as alleged by complainant)
11.	Reminders	07.04.2016, 08.06.2016 (Page no. 18-19 of reply)
12.	Cancellation letter	02.07.2016 (page no. 17 of reply)
13.	Occupation certificate	Not obtained
14.	Offer of possession	Not offered

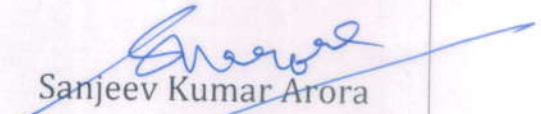
The counsel for the complainant states that the complainant is seeking refund of the deposited amount of the unit which was booked on 02.04.2013. No BBA was ever executed and last payment against this unit was made on 27.04.2016. Total payment made for the unit was Rs.8,93,017/- against total sale consideration of Rs. 28,87,500/-.

The counsel for the respondent states that prior to filing of this complaint, no demand for the refund of the unit was made. Further stated that they had raised on 08.06.2016, 07.04.2016 and 16.04.2014 but no payment in response to that demand was made by the complainant. Further stated that the complainant is an investor and not an allottee.

Arguments heard.

Order reserved.

Matter to come up on 16.08.2024 for pronouncement of order.


Sanjeev Kumar Arora
Member
02.08.2024