

PROCEEDINGS OF THE DAY		66
Day and Date	Thursday and 27.04.2023	
Complaint No.	MA NO. 70/2023 in CR/6195/2022 Case titled as Sayd. Masrat Gilani and Peerzada Mushtaq Ahmad Shah Vs Chirag Buildtech Private Limited	
Complainant	Sayd. Masrat Gilani and Peerzada Mushtaq Ahmad Shah	
Represented through	Shri Sudhanshu Tiwari Advocate	
Respondent	Chirag Buildtech Private Limited	
Respondent Represented through	Shri Garvit Gupta Advocate (Memo of appearance filed during proceedings)	
Last date of hearing	Misc. Application	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The counsel for the complainant has filed an application under section 36 of the Act stating that during pendency of the present complaint which was filed on 03.10.2022, respondent has cancelled the unit on 10.10.2022 which is against the principle of natural justice and settled principles. He further states that vide letter dated 18.01.2023 (neither signed nor endorsed by the respondent) the respondent has send an expired cheque dated 06.10.2022 amounting to Rs. 21,91,039/-

It is further stated by the complainant that an amount of Rs. 28,01,719/- has been paid which is more than the basic sale consideration i.e., Rs. 26,26,480/- and there is no valid reason to cancel the allotment. However, the counsel for



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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 लाईन, गुरुग्राम, हरियाणा

respondent states that there are still outstanding dues on part of complainant of about Rs. 1 Lakh.

Arguments heard.

The respondent is directed not to create any third-party rights till next date of hearing as the allottee has already paid the consideration amount and only some minor amount towards taxes or stamp duty charges remains to be paid which doesn't justify cancellation of the unit.

Matter to come up on 25.05.2023 i.e., the date already fixed in this case.

V.1-5
Vijay Kumar Goyal
Member
27.04.2023