



**PROCEEDINGS OF THE DAY**

31

Day and Date	Tuesday and 13.02.2024
Complaint No.	CR/6263/2022 Case titled as Kuldeep Duggal and Dr. Rachna Bindra VS Haryana Sahri Vikas Pradhikaran Known As Huda
Complainant	Kuldeep Duggal and Dr. Rachna Bindra
Represented through	Shri Ishaan Dang Advocate
Respondent	Haryana Sahri Vikas Pradhikaran Known As Huda
Respondent Represented	Shri Vivek Verma Advocate
Last date of hearing	01.12.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

**Proceedings**

The complaint was received on 19.09.2022 and the reply on behalf of the respondent was received on 17.01.2023.

Succinct facts of the case as per complaint and annexures are as under:

S. N.	Particulars	Details
1.	Name of the project	Sector 57, Gurgaon
2.	Project area	3.78 acres
3.	Nature of the project	Residential Plot
4.	Allotment Letter to original allottee	02.02.2005 (Page 24 of the complaint)
5.	Re- allotment	11.04.2005 From original allottee to Joginder Singh 08.01.2008 From Joginder Singh to



**HARERA**  
**GURUGRAM**

**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
**GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम  
CR/6263/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

		Lovely Sehgal 13.01.2010 From Lovely Sehgal to complainant (Page 26, 30, 34, 36 of complaint)
6.	Plot no.	2280 (Page 24 of the complaint)
7.	Plot area admeasuring	286 sq. mtr. (Page 24 of the Complaint)
8.	Possession clause	7. The possession of the site will be offered to you on completion of the development works in the area , where the site is situated. (Page 24 of complaint)
9.	Due date of possession	02.02.2008 (calculated as 3 years from the date of allotment)
10.	Total sale consideration	Rs. 12,01,200/- (As per allotment letter on page no. 24 of the complaint) Rs. 50,61,450/- (Total cost of property as per account statement with enhanced cost of Rs. 38,60,250/- )
11.	Amount paid by the complainants	Rs. 50,61,450/- (As alleged by the complainant on page no. 15 of complaint)
12.	Occupation certificate /Completion certificate	Not obtained

13.	Offer of Possession	Not offered
	Remarks:	Respondent did not disclose the date of handing over of possession

The counsel for the complainants is seeking DPC and execution of CD after physical possession.

The counsel for the respondent states that the land under question has been released vide orders passed by the Hon'ble Punjab and Haryana High Court in CWP No. 20563/2017 titled as Kalawati and others versus State of Haryana and others vide judgment dated 18.12.2017. Thereafter, SLP filed in the Hon'ble Supreme Court of India which has been disposed off and a review petition is pending. Therefore, the possession of the plot allotted cannot be handed over to the complainant. Further, the complainant is a third subsequent allottee and as per Policy of the HSVP, as per which the complainant is governed, the authority can refund the amount deposited by the complainant with interest @ 5.5% per annum.

Arguments heard.

Both the parties may file written submissions within a period of 15 days with an advance copy to each other.

Order reserved.

Matter to come up on **30.04.2024** for pronouncement of order.

  
Sanjeev Kumar Arora  
Member

  
Arun Kumar  
Chairman  
13.02.2024

  
Ashok Sangwan  
Member