

PROCEEDINGS OF THE DAY		15
Day and Date	Friday and 18.04.2025	
Complaint No.	CR/6296/2022 Case titled as Kamlesh Yadav and Nitu Yadav VS Vigneshwara Developwell Pvt Ltd	
Complainant	Kamlesh Yadav and Nitu Yadav	
Represented through	Shri Avinash Sharma Advocate	
Respondent	Vigneshwara Developwell Pvt Ltd	
Respondent Represented	None	
Last date of hearing	17.01.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint has been received on 13.09.2022 and the reply on behalf of respondent not received till date. Succinct Facts of the case as per complaint and annexures are as under:		
S. N.	Particulars	Details
1.	Name of the project	Aquarius Business Park sector-74
2.	Nature of the project	Commercial complex
3.	RERA Registered/ not registered	Not registered
4.	Unit no.	Not available
5.	Unit area admeasuring	250 sq. ft. upper ground floor
6.	Date of booking	13.08.2013
7.	Date of BBA	08.08.2013
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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CRJ 6298/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

8.	Possession clause	11. The developer to the proposed allottee within sixty months from the date of finalization of construction and after necessary approvals.
9.	Due date of possession	08.08.2018 [calculated from the date of BBA in absence date of start of construction]
10.	Total sale consideration	Rs. 29,10,000/-
11.	Amount paid by the complainant	Rs. 29,10,000/-
12.	Occupation certificate /Completion certificate	N/A
13.	Notice of possession	N/A
14.	Legal notice	31.05.2021 [Page 52 of the complaint]

The respondent was proceeded exparte vide order of this authority dated 08.12.2023. Despite sufficient opportunities, none has appeared on behalf of the respondent.

The counsel for the complainant is seeking refund of the amount deposited against allotment of commercial unit in the project of the respondent in terms of Section 18 (1) of the Act, 2016 on account of failure of the respondent to hand over the unit to the complainant in terms of agreement dated 08.08.2013 as per which the due date for handing over of possession was 08.08.2018. The OC for project has not been received till date.



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In view of the above, the respondent is directed to refund the paid up amount to the complainant alongwith prescribed rate of interest i.e. 11.10% per annum from the date of each payment till its realization. Ordered accordingly.

Detailed order will follow. Matter stands disposed off.

Ashok Sangwan
Member
18.04.2025