

PROCEEDINGS OF THE DAY**29**

Day and Date	Friday and 21.07.2023
Complaint No.	CR/6332/2022 Case titled as Anuradha Jain Vs Imperia Wishfield Private Limited
Complainant	Anuradha Jain
Represented through	Shri Pradeep Kumar Sehrawat Advocate
Respondent	Imperia Wishfield Private Limited
Respondent Represented through	Shri Roopam Singh Advocate
Last date of hearing	20.01.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 07.10.2022 and reply on behalf of respondent was filed on 18.07.2023.

The counsel for the complainant states that they have got the reply and further draws attention of the authority towards the decision dated 09.05.2023 in CR No.1176 /2022 and 16 more cases in which the similar matter of the same project has been settled by RERA Gurugram itself and requests to settle the case in question on the same lines.

The counsel for the respondent states that an application for impleadment of M/s Prime IT Solutions Pvt. Ltd. has been made on the grounds that the present respondent company has been created as a joint venture between the respondent and M/s Prime IT Solutions Pvt. Ltd. for the purpose of this project. A compromise decree was passed on 12.01.2016 in the Gurugram Civil Court between the two entities.

Arguments for impleadment of M/s Prime IT Solutions Pvt. Ltd. heard. The application is declined since the BBA was signed between the complainant and the respondent and the complete amount of consideration was paid by the complainant to the respondent who is M/s Imperia Wishfield Pvt. Ltd. Further,



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/6332/2022

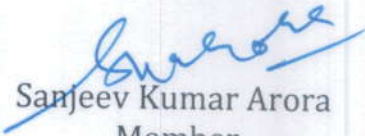
New PWD Rest House, Civil Lines, Gurugram, Haryana

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

the complainant was not privy to the compromise agreement between the respondent and M/s Prime IT Solutions Pvt. Ltd. The respondent cannot shy away from its responsibility w.r.t the obligation towards the complainant.

The counsel for the respondent further submitted that they have not yet received the occupation certificate. The counsel for the complainant states that work is hardly 30% complete at site then what to talk of OC. After considering all the facts and arguments full refund is allowed alongwith interest at the prescribed rate i.e. 10.75 % from the actual date of payment till its actual realization.

Detailed order will follow. Matter stands disposed off. File be consigned to the registry.


Sanjeev Kumar Arora
Member
21.07.2023