

PROCEEDINGS OF THE DAY
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Day and Date	Thursday and 08.05.2025
Complaint No.	CR/6415/2024 Case titled as Lalita Wadhwa VS ATS Real Estate Builders Private Limited
Complainant	Lalita Wadhwa
Represented through	Complainant in person
Respondent	ATS Real Estate Builders Private Limited
Respondent Represented through	Ms. Shivani Dang Advocate
Last date of hearing	03.04.2025
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint has been received on 27.12.2024 and the reply on behalf of respondent has not been filed till date.

The complainant, appearing in person, submitted that the subject unit was booked in the year 2014, and a Builder-Buyer Agreement (BBA) was executed on 20.11.2019. A total sum of Rs. 1,02,74,009/- has been paid towards the total sale consideration of Rs. 1,02,10,250/-. As per the terms of the BBA, the stipulated date for handing over possession, inclusive of the grace period, was 30.06.2022. However, there has been a delay on the part of the respondent-promoter, as possession was offered only in April 2024, approximately two years after the agreed date.

The complainant further stated that several emails requesting possession were sent to the respondent, all of which are already on record. Despite such communication, no effective action was taken by the respondent. Accordingly, the complainant seeks relief of delayed possession charges and a refund of Rs. 1,19,454/-, which was allegedly transferred erroneously to the Escrow account of the respondent-builder.

The counsel for the respondent objected to the appearance of Mr. Mohit Wadhwa on behalf of the complainant, contending that no authorization letter empowering Mr. Wadhwa to represent the complainant has been placed on record.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियमक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

In response, the complainant clarified that a Special Power of Attorney dated 05.04.2025 has already been filed and is part of the record.

The counsel for the respondent submitted that the additional documents filed by the complainant have not been received by them.

Accordingly, it is directed that copies of the said additional documents be obtained by the respondent from the Registry today itself.

Matter to come up on 30.05.2025 for final arguments/orders.

V. I. Goyal
Vijay Kumar Goyal
Member
08.05.2025