



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

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PROCEEDINGS OF THE DAY

Day and Date	Thursday and 27.07.2023
Complaint No.	CR/6439/2022 Case titled as Vikas Goyal and sarita Goyal Vs Tulip Infratech Private Limited and Brahm Prakash and Apple Facilities Services Pvt Ltd.
Complainant	Vikas Goyal and sarita Goyal
Represented through	Shri Sunil Kumar Advocate
Respondent	Tulip Infratech Private Limited and Brahm Prakash and Apple Facilities Services Pvt Ltd.
Respondent Represented	Shri Sudesh Ranjan Singh Advocate for R1 and R3.
Last date of hearing	14.02.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint has been received on 14.10.2022 and the reply was received on behalf of respondent No.1 & 3 on 25.01.2023 but no reply has been received on behalf of respondent No.2 despite giving multiple opportunities and hence, defence of respondent No.2 is struck off.

S. N.	Particulars	Details
1.	Name of the project	"Tulip Violet", Sector- 69-70, Gurugram.
2.	Project area	25.44 acres
3.	Nature of the project	Residential group colony



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4.	DTCP license no. and validity status	78 of 2010 dated 15.10.2010 valid up to 14.10.2025
5.	Name of licensee	Anit and 7 others
6.	RERA Registered/ not registered	Registered vide no. 36 of 2018 dated 18.12.2018 valid up to 31.12.2020
7.	Unit no.	703, 7 th floor, Tower/block- A7 (Page no. 62 of the complaint)
8.	Unit area admeasuring	2010 sq. ft. (Super area) (Page no. 62 of the complaint)
10.	Date of execution of agreement to sell	31.01.2022 [Page no. 56A of the complaint]
11.	Possession clause	10 (a) Schedule for possession of the said apartment The construction of the said Building /Said Apartment is completed, and the landowners/Vendor has already applied for occupation certificate. The landowner/Vendor will offer the physical possession of the said apartment within 30 days from the obtaining the OC from concerned authority. (Page no. 65 of the complaint)
14.	Due date of possession	N. A
15.	Basic sale consideration at page no. 35 of the reply	Rs.85,00,000/-
16.	Amount paid by the complainant as per averment of complainant,	Rs.85,00,000/- [as alleged by the complainant]

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016
भू-संपदा (विनियामन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
CR/6431/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

	at page 8 of the complaint	
17.	Occupation certificate /Completion certificate	In March 2017
18.	Possession letter	18.02.2022 [Page no. 77 of the complaint]
19.	Conveyance Deed	18.02.2022 [Page no. 42 of the complaint]
20.	Maintenance agreement	10.02.2022 [Page no. 79 of the complaint]

Part arguments heard.

The counsel for the complainant states that the complainant has purchased the above unit from respondent No.2 and as per agreement, the IFMS amount was to be included in the total sale consideration amount and cannot be demanded separately while executing the conveyance deed by respondent No.1, the IFMS is being demanded separately.

However, the counsel for the respondent No.1 & 3 states that as per agreement as well as condition of conveyance deed, the complainant is required to pay IFMS amount and a ready to move in unit has been sold and OC in respect of unit has already been obtained way back in March, 2017.

Both the parties are directed to file written submissions w.r.t. issue of charging and payment, if any, pertaining to IFMS within 15 days with an advance copy to each other.

Matter to come up on **09.11.2023** for further arguments and orders.

V.1-3
Vijay Kumar Goyal
Member
27.07.2023