



**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 लाईंस, गुरुग्राम, हरियाणा

<b>PROCEEDINGS OF THE DAY</b>		<b>32</b>
Day and Date	Thursday and 27.07.2023	
Complaint No.	CR/6511/2022 Case titled as Hardeep Singh Wirk Vs Neo Developers Private Limited	
Complainant	Hardeep Singh Wirk	
Represented through	Shri Abhijeet Gupta Advocate	
Respondent	Neo Developers Private Limited	
Respondent Represented through	Shri Pankaj Chandola AND Vikas Advocates	
Last date of hearing	10.02.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### Proceedings

The present complaint was filed on 27.09.2022 and reply was received on 12.02.2023.

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

<b>S. N.</b>	<b>Particulars</b>	<b>Details</b>
1.	Name of the project	"Neo Square", Sector 109, Gurugram
2.	Nature of the project	Commercial complex
3.	Project area	2.71 acres
4.	DTCP license no. and validity status	102 of 2008 dated 15.05.2008 VALID UPTO 14.05.2020
5.	RERA Registered/ not registered	109 of 2017 dated 24.08.2017 valid upto 23.08.2021 plus 6 months of extension due to COVID-19 =



**HARERA**  
**GURUGRAM**

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

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/6511/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

		23.02.2022
6	Date of execution of Apartment Buyer's Agreement	25.10.2012
7	Unit no. and area	612, 6 <sup>th</sup> floor, Tower-A Area 1558 sq. ft.
8	Possession clause	As per clause 5.2 and 5.4- 36 months plus 6 months grace period from the date of buyer's agreement or starting from construction whichever is later
9	Due date of possession	25.10.2015 (Due date of possession is calculated from the date of execution of agreement in absence of date of start of construction)
10	Total sale consideration	Rs. 1,09,65,929/- As per payment plan at page 37 of the complaint
11	Amount paid by the complainant	Rs. 69,16,409/-
12	Occupation certificate /Completion certificate	Not obtained
13	Offer of possession	Not offered

The complainant filed a complaint before the authority for DPC along with interest on 22.02.2019 and was decided on 03.02.2021 with a direction to the respondent to pay interest at the prescribed rate of 9.30% p.a. for every month of delay on the amount paid by the complainant from the due date of possession i.e. 04.08.2016 till the handing over of the possession.



**HARERA**  
**GURUGRAM**

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

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/6541/2022

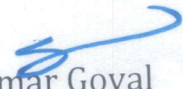
New PWD Rest House, Civil Lines, Gurugram, Haryana

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

The counsel for the respondent has taken objection on the maintainability of above fresh complaint when matter has already been decided by the authority on 03.2.2021 in previous complaint No.433 of 2019.

The counsel for the complainant may file rejoinder/submissions on the issue of maintainability of complaint within 15 days after supplying a copy to the respondent.

Matter be put up before the full bench on the issue of maintainability on **07.11.203.**

V.I. -   
Vijay Kumar Goyal  
Member  
27.07.2023