

PROCEEDINGS OF THE DAY
2

Day and Date	Thursday and 22.05.2025
Complaint No.	CR/6531/2022 Case titled as Dinesh Narayan Bhardwaj and Sneha Bharadwaj VS AGRANTE DEVELOPERS PRIVATE LIMITED
Complainant	Dinesh Narayan Bhardwaj and Sneha Bharadwaj
Represented through	Ms. Charu Rustagi Advocate
Respondent	AGRANTE DEVELOPERS PRIVATE LIMITED and Naveen Gautam
Respondent Represented	Shri Brij Mohan proxy counsel for R1 None for R2
Last date of hearing	03.04.2025
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was received on 10.10.2022 and the reply on behalf of respondent has been filed on 18.01.2023. Succinct facts of the case as per complaint and reply are as under:

S. No.	Particulars	Details
1.	Name of the project	"Beethoven's 8", Sector- 107, Gurgaon
2.	Nature of project	Group housing complex
3.	RERA registered/not registered	Not Registered
4.	DTPC License no.	23 of 2012 dated 23.03.2012
	Validity status	Not available on record
	Name of licensee	Narendra Kumar Gupta & others
	Licensed area	18.0625 acres



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

5.	Unit no.	Harmony-2/305, 3 rd floor [pg. 19 of complaint]
6.	Unit area admeasuring	1702 sq. ft. [pg. 19 of complaint]
7.	Allotment letter	Not provided
8.	Date of builder buyer agreement	Not executed
9.	Total sale consideration	₹ 1,08,71,570/- [pg. 19 of complaint]
10.	Amount paid by the complainant	₹ 9,26,700/- [pg. 17 of complaint]
11.	Possession clause	Clause 19(a) <i>Subject to other terms of this application/Agreement, including but not limited to timely payment of the Total Price, stamp duty and other charges by the Vendee(s), the Company shall endeavor to complete the construction of the Said Apartment within 42 (Forty-two) months from the start of construction, which is not the same as date of this application. The Company will offer possession of the said Apartment to the Vendee(s) as and when the Company receives the occupation certificate from the competent authority(ies). Any delay by the Vendee(s) in taking possession of the Said Apartment from the date of offer of possession, would attract holding charges @ Rs.05 (Five) per sq. ft. per month for any delay of full one month or any part thereof.</i> [pg. 23 of complaint]
12.	Due date of possession	28.10.2017 [Due date calculated from date of application i.e., 28.04.2014]
13.	Surrender request dated	09.07.2014, 14.07.2014, 29.07.2014 [Page 06 of the complaint]



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14.	Cancellation Letter dated	14.09.2016 [Page 12 of reply]
15.	Occupation certificate	Not obtained
16.	Offer of possession	Not offered

The counsel for the complainant no. 1 and 2 had filed an application dated 25.11.2024 under section 151 CPC with section 88 of RERA Act along with amended memo of parties. The complainant vide application sought relief of deleting complainant no. 3 from array of parties. On the ground that the complainant no.3 is not involved in any relationship with complainant no. 1 and complainant no.2 after divorce by way of mutual consent.

The respondent has filed reply to the application saying that co-allottee no.3 Navin Gautam is not impleaded as party who has right against unit.

The complainant is seeking refund of amount paid against unit along with interest.

None is present on behalf of respondent No.2 i.e., Shri Naveen Gautam who has been issued notice by the registry vide email and speed post. Further a publication has also been made by the complainant on 01.05.2025 in the Times Nation but none is present. One more opportunity is being given to the respondent No. 2 to file written submissions within 10 days.

Arguments heard.

Order reserved.

The counsel for the complainant has supplied a copy of written submissions today during proceedings and the respondents may file brief written submissions within a period of 10 days with an advance copy to each other.

Detailed order will follow. Matter stands disposed off.

V. I. 
Vijay Kumar Goyal
Member
22.05.2025