

New PWD Rest House, Civil Lines, Gurugram, Haryana

PROCEEDINGS OF THE DAY			44
Day and Date	Wednesday and 31.05.2023		
Complaint No.	CR/6624/2022 Case titled as Shagun Gupta Vs DLF Homes Developers Limited		
Complainant	Shagun Gupta		
Represented through	Shri Abhay Jain Advocate		
Respondent	DLF Homes Developers Limited		
Respondent Represented	Shri J.K. Dang Advocate		
Last date of hearing	27.01.2023		
Proceeding Recorded by	Naresh Kumari and HR Mehta		
Proceedings			
The present complaint has been filed on 12.10.2022 and the respondent has filed the reply on 27.01.2023.			
Succinct facts of the case as per complaint and reply are as under:			
Sr. No.	Particulars	Details	
1.	Name of the project	"Independent floors" Dlf Alameda , Sector 73 , Gurugram	
3.	Nature of the project	Residential plotted colony	
8.	Unit no.	D 6/4 A first floor (page 20 of the compliant)	
9.	Unit admeasuring	2548 sq. ft. carpet area (page 20 of the compliant and 177 of reply)	2148



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
CR 6624/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विभाग गृह विभाग लाईंस, गुरुग्राम, हरियाणा

10.	Date of allotment	22.11.2021 (Page 35 of the compliant)
12.	Date of execution of buyer's agreement	08.09.2014 as per the complaint
13.	Possession clause	-
14.	Due date of delivery of possession	Cannot be ascertain
15.	Total sale consideration	Rs. 3,96,58,658/-
16.	Total amount paid by the complainant	Rs. 39,65,865/-
17.	Occupation certificate	Not obtained
18.	Offer of possession	Not offered

The counsel for the complainant states that a unit admeasuring 225.109 sq. meters plus basement was allotted to the complainant at a total consideration of Rs. 3,96,58,658/- on 22.11.2021 vide allotment letter of the same date. The details of allotment specifically mentioned the rate of Rs.1,67,515.64 per sq. meter of the carpet area. The plot area on which the independent floor was to be constructed was mentioned as 386.25 sq. meters. However, vide letter dated 06.06.2022 the complainant was informed by the respondent that the carpet area of the independent floor is in fact 2148.785 sq. feet while the total price including GST would be Rs.3,94,42,566.80. The complainant is seeking the allotment of the original carpet area at the price mentioned against the same vide allotment letter dated 22.11.2021.

The counsel for the respondent states that the error on the part of the respondent w.r.t the carpet area and price was inadvertent and the similar error occurred not only in this specific matter but in 29 other cases the information of which was duly notified to HRERA Gurugram on 13.01.2022 for updation in the registration documents. He further states that no BBA or agreement pursuant to the allotment letter has been signed between the parties and the error on the part of respondent



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is bonafide and the complainant cannot press for specific performance of the provisional allotment document at this stage.

Arguments heard.

Order reserved.

Matter to come up on **23.08.2023** for pronouncement of order.

Ashok Sangwan
Member
31.05.2023