



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

PROCEEDINGS OF THE DAY

50-61,
65-67
and
70-72

Day and Date

Tuesday and 08.10.2024

Complaint No.

CR/5512/2022 Case titled as Sunil Kumar & Anr. Vs Savyasachi Infrastructure Pvt. Ltd. & Sharma Confectioners Pvt. Ltd.

Complainant

Sunil Kumar & Anr.

Represented through

Shri Gaurav Rawat Advocate

Respondent

1. Savyasachi Infrastructure Pvt. Ltd.
2. Sharma Confectioners Pvt. Ltd.

Respondent Represented through

None

Last date of hearing

09.07.2024

Proceeding Recorded by

Naresh Kumari and HR Mehta

Proceedings

The present complaint has been received on 18.08.2022. However, the respondent has failed to file reply so far in spite of sufficient opportunities.

Succinct facts of the case are as under:

On 12.12.2023, the authority appointed a local commission of Sh. Shashank Sharma Engineer and Sh. Ramesh Kumar DSP (retired) to visit the site and submit detailed status report. The local commission has submitted the status report on 23.12.2023 and has concluded as under:

"6. Conclusion:

The site of the project i.e., "Amaya Greens", located at Sector-3, Farukhnagar, Gurugram being developed by M/s Savyasachi Infrastructure Pvt. Ltd. has been inspected on 12.12.2023 and it is concluded that: -

- (A) Collaboration agreement dated 28.06.2016 had been registered between the landowner i.e., Sharma Confectioners Pvt. Ltd. in collaboration with the developer i.e., Savyasachi Infrastructure Pvt. Ltd. for the land admeasuring 97 Kanal 6 marla



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i.e., 12.1625 acres.

- (B) The license had been granted by DTCP vide license no 37 of 2017 dated 24.06.2017 valid up to 27.06.2022 for land admeasuring 9.0375 acres only and after that the project had been registered with the interim RERA vide RC no 212 of 2017 dated 18.09.2017 valid up to 16.03.2023 (including 6 months Covid extension).
- (C) The balance part i.e., 3.125 acres has not been granted any license by DTCP, Haryana and not registered with the Authority also.
- (D) Completion certificate had been granted by DGTCP, Haryana vide memo no. LC-3257/JE(SJ)-2021/510 dated 11.01.2021 for license no 37 of 2017 for land admeasuring 9.0375 acres only.
- (E) As per the statement of landowner SPA was cancelled on 03.01.2022 by the landowner due to some disputes arise between them and complaints regarding SCO which is to be handed over by the promoter i.e., M/s Savyasachi Infrastructure Pvt. Ltd. falls outside the license no 37 of 2017 and the area on which SCO's are proposed to build has not granted any license from DTCP Haryana.
- (F) MOU's were signed on different dates as per mentioned in the table between the developer i.e., Savyasachi Infrastructure Pvt. Ltd and complainant i.e., Mr. Vinod Kumar S/o Sh. Ramchander and payment had been received from developer without registering the project with the Authority.
- (G) Landowner i.e., Sharma Confectioners Pvt. Ltd. stated that they have no objection for the allottees who has been offered possession by the developer i.e., Savyasachi Infrastructure Pvt. Ltd. in the land parcel of 9.0375 acres only and will not create any obstruction to the allottees for taking the physical possession and once the license and registration has been granted for the balance part i.e., 3.125 acres, then they will not have any objections for giving possession to the concerned allottees also. (Statement attached as Annex- C)"

Heard.

Directions be issued to the promoter u/s 35 (1) of the Act, 2016 to come present before the Authority and furnish the details pertaining to the project and make available all records as per provisions under section 35 (2) of the Act on the next date of hearing. In case the respondent promoter fails to comply with the order, further action as per provisions shall be taken by the Authority.

Matter to come up on 07.01.2025 for further proceedings.

Ashok Sangwan
Member

Arun Kumar
Chairman
08.10.2024