

PROCEEDINGS OF THE DAY
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Day and Date	Wednesday and 20.11.2024
Complaint No.	CR/678/2024 Case titled as Babita Tiwari and Yogesh Tiwari VS Brahma City Private Limited
Complainant	Babita Tiwari and Yogesh Tiwari
Represented through	Shri Manish Yadav Advocate
Respondent	Brahma City Private Limited
Respondent Represented	Shri Harsh Vashisht proxy counsel
Last date of hearing	04.09.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint has been filed on 26.02.2024 and registered as complaint no. 678 of 2024. Reply on behalf of respondent has been received on 04.09.2024. Previous cost already paid.

Succinct facts as per the complaint and reply are as follows:

S.No	Particulars	Details
1.	Name of project	"Miracle Mile" (Inspire)
2.	Location of project	Sector-60, Gurugram, Haryana
3.	Nature of project	Commercial
4.	DTCP License	License no. 64 of 2010
5.	HRERA Registered	Registered Vide registration no. 327 of 2017 Dated-23.10.2017

6.	Letter sent by respondent inviting objections for changes in demarcation plan	16.05.2014 (As on page no. 29 of complaint)
7.	Intimation about change in unit sent by respondent [Note: Earlier: Unit no. 30, Floor ground, Area:- 507.41 sq.ft. Now: Unit no. 50, Floor-Ground, Area:-569.85 sq.ft.]	31.07.2018 (As on page no. 53 of complaint)
8.	Acceptance of the abovesaid changes by complainant	31.07.2018 (As on page no. 54 of complaint)
9.	Agreement For Sale	08.01.2019 (As on page no. 69 of complaint)
10.	Unit no.	GF- 58, Type-Shop, Floow-Ground (As on page no. 81 of complaint)
11.	Possession clause	Clause-7.1 <i>The promoter assures to handover possession of the Commercial Unit as per agreed terms and conditions on or before 31.03.2022 unless there is delay due to "Force majeure" Court orders, government policy/guidelines, decisions affecting the regular development of the Project. If the completion of the project is</i>

		<i>delayed due to the above conditions, then the Allottee agrees that the Promoter shall be entitled to the extension of time for delivery of possession of the Commercial unit.</i> <i>[Emphasis supplied]</i> <i>(As on page no. 88 of complaint)</i>
12.	Due date of possession	31.03.2022
13.	Total sale consideration	Rs.76,66,448.77/- (As per account statement on page no.149 of complaint)
14.	Amount paid	Rs.64,47,768.69/- (As per account statement on page no.149 of complaint) [Note : To be clarified]
15.	Occupation certificate	Not on record
16.	Offer of possession	08.11.2023 (As on page no. 141 of complaint)
17.	Possession letter	25.09.2024 (As on page no. 165 of complaint)

The proxy counsel for the respondent requests for a short adjournment as the main arguing counsel is not available today.

Previous cost already paid to the complainant.



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

This is the 4th hearing. No further adjournment is justified. However, in the interest of justice, parties may file written arguments within a period of 2 weeks with an advance copy to each other.

Order reserved.

Matter to come up on **11.12.2024** for pronouncement of order.


Ashok Sangwan
Member
20.11.2024