



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. हा. विभाग गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY

46 to 68

Day and Date

Tuesday and 09.07.2024

Complaint No.

CR/5512/2022 Case titled as Sunil Kumar and Ashok Kumar VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/5515/2022 Case titled as Ajeet Kumar Tiwari VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/5516/2022 Case titled as Upender Verma VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/5517/2022 Case titled as Surya Kant VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/5518/2022 Case titled as Chandveer Singh VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/5519/2022 Case titled as Ravi and Rahul Kumar VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/5520/2022 Case titled as Satya Dev and Ramesh Chand VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/5625/2022 Case titled as Chandveer Singh VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/5662/2022 Case titled as Ramesh Kumar VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited



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CR/6010/2022 Case titled as Ruchi Chaudhry VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/6017/2022 Case titled as Neeraj Gautam VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/6302/2022 Case titled as Atul Kumar VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/6942/2022 Case titled as Upender Verma VS Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited

CR/7816/2022 Case titled as Krishna Devi VS Savyasachi Infrastructure Private Limited

CR/7610/2022 Case titled as Ramesh Kumar VS Savyasachi Infrastructure Private Limited

CR/7612/2022 Case titled as Sukhpal VS Savyasachi Infrastructure Private Limited

CR/6692/2022 Case titled as Rajiv Yadav VS Savyasachi Infrastructures Private Limited and Sharma Confectioner Private Limited

CR/6693/2022 Case titled as Rajiv Yadav VS Savyasachi Infrastructures Private Limited and Sharma Confectioner Private Limited

CR/6698/2022 Case titled as Gulshan Rani VS Savyasachi Infrastructures Private Limited and Sharma Confectioner Private Limited

CR/21/2023 Case titled as Sher Singh VS Savya Sachi Infrastructure Private Limited

CR/22/2023 Case titled as Sher Singh VS Savya Sachi Infrastructure Private Limited

CR/1565/2023 Case titled as Vinod Kumar VS Savysachi Infrastructure Private Limited

CR/2004/2023 Case titled as Gulshan Rani



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	VS Savysachi Infrastructure Private Limited & Sharma Confrctioners Private Limited
Represented through	Shri Gaurav Rawat, Rima Shah, Himanshu Gautam, Advocates
Respondent	Savyasachi Infrastructure Private Limited & Sharma Confectioners Private Limited
Respondent Represented	None
Last date of hearing	26.03.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

In the present complaint the respondent had failed to file reply so far in spite of multiple opportunities and even after public notice in the newspaper. Therefore, the respondents were proceeded ex-parte vide proceedings dated 12.12.2023.

The counsel for the complainant states that there was a collaboration agreement executed on 28.06.2016 between the landowner i.e., Sharma Confectioners Pvt. Ltd. & Savyasachi Infrastructure Pvt. Ltd for the land admeasuring 97 Kanal 6 marla i.e., 12.1625 acres. Additionally, he states that 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-19 extension). The license for the balance part i.e., 3.125 acres has not been granted by DTCP, Haryana and not registered with the Authority also.

Further, the counsel for the complainant states that the respondent no. 2 i.e., Sharma Confectioners Pvt. Ltd. is landowner of the project land and is equivalent to promoter as the payments have been made by the allottees to R2 also. The respondent no.2 appeared on the project site when the local commissioner visited the project site and made an enquiry for the status of



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construction of the project but never put up an appearance during proceedings which shows that respondent no.2 is deliberately delaying the proceedings.

The counsel for the complainant during proceedings submitted the calculation with respect to the total amount taken from the allottees and total expenditure dealt to be incurred for completion of the project and the landowner has got enough money & hence as per section 2(zk)(v) of the Act, 2016, the landowner i.e., respondent no.2 may also be held liable for discharging duties of promoter. Further the counsel requesting for the relief of possession, delayed possession interest, execution of BBA & restrain the respondent from creating any third-party rights or cancellation of allotment of unit. However, it was noted that how direction of possession for any unauthorized colony can be given by the Authority & status of said colony shall be obtained from department of Town and Country Planning.

The counsel for complainant may file brief written submission alongwith details of allottees whose units are part of the registered project and the units which are not part of the registered project within 4 weeks in the registry of the Authority.

Matter to come up on 08.10.2024 for final arguments/orders.


Sanjeev Kumar Arora
Member


Vijay Kumar Goyal
Member


Arun Kumar
Chairman
09.07.2024