



**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

**PROCEEDINGS OF THE DAY**

**37**

|                        |                                                                            |
|------------------------|----------------------------------------------------------------------------|
| Day and Date           | Friday and 02.08.2024                                                      |
| Complaint No.          | CR/6975/2022 Case titled as Satvir Singh VS Apex Buildwell Private Limited |
| Complainant            | Satvir Singh                                                               |
| Represented through    | Shri Sunil Kumar Advocate                                                  |
| Respondent             | Apex Buildwell Private Limited                                             |
| Respondent Represented | Shri Harshit Batra Advocate                                                |
| Last date of hearing   | 24.05.2024                                                                 |
| Proceeding Recorded by | Naresh Kumari and HR Mehta                                                 |

**Proceedings**

The present complaint has been received on 14.11.2022 and the reply was received on 20.11.2023.

| S.N. | Particulars                        | Details                                                                   |
|------|------------------------------------|---------------------------------------------------------------------------|
| 1.   | Name of the project                | Our homes Sector-36 C, Gurugram.                                          |
| 2.   | Project area                       | 10.144 acres                                                              |
| 3.   | DTPC license no. & validity status | 13 of 2012 dated 22.02.2012                                               |
| 4.   | Nature of project                  | Affordable Group Housing Colony                                           |
| 5.   | Registration Details               | GGM/346/78/2019/40 dated 08.07.2019 valid up to 01.12.2019                |
| 6.   | Unit no. / Area admeasuring        | 320, Tower- Jasmine, 3 <sup>rd</sup> floor,<br>(Page no. 19 of complaint) |
| 7.   | Date of builder buyer agreement    | 25.01.2013                                                                |



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CR/6975/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

|     |                          |                                                                                                                                                                                                                                                                                                                                  |
|-----|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |                          | (Page no. 16 of complaint)                                                                                                                                                                                                                                                                                                       |
| 8.  | Building Plan Approval   | 07.05.2013                                                                                                                                                                                                                                                                                                                       |
|     |                          | (Page no. 52 of complaint)                                                                                                                                                                                                                                                                                                       |
| 9.  | Environmental Clearance  | 26.06.2013                                                                                                                                                                                                                                                                                                                       |
|     |                          | (as per the information provided by the respondent at the time of registration)                                                                                                                                                                                                                                                  |
| 10. | Possession clause        | <b>3. Possession 3(1) Developer proposes to hand over the possession of the apartment within a period of <i>thirty-six months (36)</i>, with a grace period of 6 month, from the date of commencement of construction of the complex upon the receipt of all project related approvals including sanction of building plans.</b> |
| 11. | Due date of possession   | 26.06.2017                                                                                                                                                                                                                                                                                                                       |
|     |                          | (Note: due date is calculated from the date of environmental clearance i.e., 26.06.2013 being later)                                                                                                                                                                                                                             |
| 12. | Basic sale consideration | Rs. 16,00,000/-                                                                                                                                                                                                                                                                                                                  |
|     |                          | (Page no 19 of the complaint)                                                                                                                                                                                                                                                                                                    |
| 13. | Amount paid              | Rs. 17,69,726/-                                                                                                                                                                                                                                                                                                                  |
|     |                          | (page no 56 of Complaint)                                                                                                                                                                                                                                                                                                        |
| 14. | Occupation certificate   | 29.11.2019                                                                                                                                                                                                                                                                                                                       |
|     |                          | (Page no. 23 of reply)                                                                                                                                                                                                                                                                                                           |
| 15. | Offer of possession      | 01.12.2019                                                                                                                                                                                                                                                                                                                       |
|     |                          | (Page no 25 of reply)                                                                                                                                                                                                                                                                                                            |



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/6945/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

16. Conveyance deed

02.09.2021

(Page no. 50 of complaint)

The counsel for the complainant states that they are seeking relief of DPC because of due date of possession was 26.06.2017 and offer of possession was given on 01.12.2019.

The counsel for the respondent states that CD has already been executed of the unit of complainant on 02.09.2021 and further stated that in some of the matters of DPC after CD, the counsel for the respondent has already filed an appeal before the Hon'ble Appellate Tribunal which are still pending for adjudication.

Arguments heard.

Undoubtedly there is a delay in handing over of possession, hence DPC are allowed. The respondent is directed to pay the interest at the prescribed rate i.e. 11% per annum for every month of delay on the amount paid by the complainants from due date of possession i.e. 26.6.2017 till 01.12.2019 plus 2 months or actual handing over of possession after obtaining occupation certificate whichever is earlier.

Detailed order will follow. Matter stands disposed off.

Sanjeev Kumar Arora

Member

02.08.2024