



PROCEEDINGS OF THE DAY

89

Day and Date	Tuesday and 15.07.2025
Complaint No.	CR/710/2025 Case titled as Bhawna and Mahesh Kumar VS Vikas Park Private Limited
Complainant	Bhawna and Mahesh Kumar
Represented through	Shri Lokesh proxy counsel
Respondent	Vikas Park Private Limited
Respondent Represented through	S/Shri Sumesh Malhotra and Pawan Bhardwaj Advocate
Last date of hearing	23.05.2025
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 13.02.2025 and reply was received on 01.05.2025.

The succinct facts of the case are as follows:

Sr. No.	Particulars	Details
1.	Name of the project	"Hero homes Tower 8", Sector-104, Dwarka Expressway, Village Dhanwapur, Gurugram, Haryana
2.	Nature of the project	Residential Group Housing
3.	RERA Registered/ not registered	RC/REP/HARERA/GGM/2018/24 dated 13.11.2018
4.	Application form	30.12.2018
5.	Date of allotment	02.02.2019 [page 31 of complaint]
6.	Date of Agreement for sale	13.06.2019 [page 36 of complaint]

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

7.	Unit no.	1204, 2-BHK, 12 th floor in tower T-02 [at page 39 of complaint]
8.	Unit area admeasuring	1099 sq. ft. super area 683.83 sq. ft. carpet area [as per buyer agreement at page 43 of reply]
9.	Date of Allotment	28.09.2023 [page 26 of complaint]
10.	Date of agreement for sale	Executed on: 07.11.2023 [page 39 of reply]
11.	Possession clause	7.1. as per rule 2(1)(f) of rules 2017 i.e. 31.08.2023 as per HARERA website [as per agreement for sale at page 44 of reply]
12.	Due date of possession	31.08.2023 as per HARERA website
13.	Payment Plan	Construction Linked Payment Plan (as per agreement for sale - Schedule C, page 59 of complaint)
14.	Total sale consideration	Rs.72,72,643/- [as per buyer agreement on page no. 40 of reply]
15.	Amount paid by the complainant	Rs.65,94,965/- (as per customer ledger dated 14.11.2024 on page no. 68-69 of reply)
16.	Occupation certificate	21.02.2025 [page 31 of reply]
17.	Offer of possession	21.02.2025 [page 38 of reply]

The complainant is seeking delayed possession charges, possession of the unit and directions to the respondent not to charge anything which is not part of the BBA.

The counsel for the respondent states that the respondent has offered the possession to the complainant on 21.02.2025 after obtaining OC on 21.02.2025. The complainant may take possession after making payment of



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

outstanding dues.

Arguments heard.

The respondent is directed to pay interest at the prescribed rate of 11.10% p.a. for every month of delay on the amount paid by the complainants from due date of possession i.e., 31.08.2023 till the date of offer of possession i.e. 21.02.2025 plus 2 months after obtaining occupation certificate from the competent authority or actual handing over of possession, whichever is earlier as per proviso to section 18(1) of the Act read with rule 15 of the rules. The respondent is further directed to hand over the actual physical possession of the unit to the complainant after adjusting the delayed possession charges and get the conveyance deed of the allotted unit executed in favour of the complainant in terms of section 17(1) of the Act of 2016 on payment of stamp duty and registration charges as applicable after obtaining occupation certificate.

Further the respondent shall not charge anything which is not part of buyer's agreement.

Matter stands disposed of. Detailed order will follow.

Ashok Sangwan
Member

Arun Kumar
Chairman
15.07.2025