

PROCEEDINGS OF THE DAY

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Day and Date	Tuesday and 03.09.2024
Complaint No.	CR/7257/2022 Case titled as Sunita Shukla VS Ocean Seven Buildtech Private Limited
Complainant	Sunita Shukla
Represented through	Complainant in person
Respondent	Ocean Seven Buildtech Private Limited
Respondent Represented	Shri Arun Yadav Advocate
Last date of hearing	12.07.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 14.11.2022. Despite specific direction the respondent failed to comply with the orders of the authority. It shows that the respondent is intentionally delaying the proceedings of the authority by non-filing of written reply. Hence, it's defence is ordered to be struck off for not filing reply.

Succinct facts of the case as per pleadings and annexures are as under:

S. N.	Particulars	Details
1.	Name of the project	The Venetian, Sector- 70, Gurugram, Haryana
2.	Project area	5.10 acres
3.	Nature of the project	Affordable group housing colony
4.	DTCP license no. and validity status	103 of 2019 dated 05.09.2019 Valid up to 04.09.2024
5.	Name of licensee	Shree Ratan Lal and others
6.	Building plan approval dated	07.02.2020 (As per DTCP website)
7.	Environment clearance dated	Not obtained till date



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

8.	RERA Registered/ not registered	Registered vide no. 39 of 2020 dated 27.10.2020 Valid upto 02.09.02024
7.	Allotment letter	09.03.2021 [Page 13 of complaint]
8.	Builder buyer agreement	Not executed
9.	Flat no.	105, tower 4 [Page 13 of complaint]
10.	Unit admeasuring	556.280 sq. ft. (carpet area) (Page 13 of the complaint)
11.	Possession clause as per Affordable housing policy, 2013	1(IV) of the Affordable Housing Policy, 2013 <i>All such projects shall be required to be necessarily completed within 4 years from the approval of building plans or grant of environmental clearance, whichever is later. This date shall be referred to as the "date of commencement of project" for the purpose of this policy. The licenses shall not be renewed beyond the said 4 years period from the date of commencement of project.</i>
12.	Due date of possession	Cannot be ascertained
13.	Total sale price of the flat	Rs.22,70,120/- [As alleged by the complainant at page 7 of complaint]
14.	Amount paid by the complainant	Rs.8,59,811/- [As alleged by complainant at page 7 of complaint]
15.	Surrender request by the complainant	19.01.2022 [page 18 of complaint]

Complainant present in person is seeking refund of the deposited amount alongwith prescribed rate of interest as the EC has not yet been obtained till date and the construction of the project has not yet been started. The counsel for the respondent states that refund be allowed as per Affordable Group Housing Policy, 2013

Arguments heard.



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CAJ-1257/2022

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In view of the same, the respondent is directed to **refund** the entire amount paid by the complainant along with interest @ 11.10% per annum from the date of each payment till the actual date of refund of the deposited amount as per provisions of section 18(1) of the Act read with rule 15 of the rules, 2017. Detailed order will follow. Matter stands disposed off.

Ashok Sangwan
Member

Vijay Kumar Goyal
Member

Arun Kumar
Chairman
03.09.2024