

<b>PROCEEDINGS OF THE DAY</b>		<b>26</b>
Day and Date	Tuesday and 13.02.2024	
Complaint No.	CR/7602/2022 Case titled as Sujit Kumar Roy and Sanchita Roy VS Emaar MGF Land Ltd	
Complainant	Sujit Kumar Roy and Sanchita Roy	
Represented through	Shri Jagdeep Kumar Advocate	
Respondent	Emaar MGF Land Ltd	
Respondent Represented	Shri Dhruv Rohatgi Advocate	
Last date of hearing	14.11.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### Proceedings

The present complaint has been received on 20.12.2022 and the reply was received on 11.05.2023.

Succinct facts of the case as per complaint and reply are as under:

Sr. No.	Particulars	Details
1.	Name of the project	Emerald Estate, Sector 65, Gurugram, Haryana
2.	Project Area	25.499 acres
3.	DTCP license no.	06 of 2008 dated 17.01.2008 Valid up to 16.01.2021
4.	Allotment letter	11.08.2009 (page 22 of the complaint)
5.	Unit no.	EEA-C-F05-03, 5 <sup>th</sup> floor, Block-C [page 31 of complaint]



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**GURUGRAM**

**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
**GURUGRAM**

हरियाणा मू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

		Area of the unit:- 1020 sq. ft.
6.	Date of execution of buyer's agreement	20.01.2010 [Page 29 of the complaint]
7	Possession clause	<b>11. POSSESSION</b> <b>(a) Time of handing over the possession</b> <i>Subject to terms of this clause and subject to the Allottee(s) having complied with all the terms and conditions of this Buyer's Agreement, and not being in default under any of the provisions of this Buyer's Agreement and compliance with all provisions, formalities, documentation etc., as prescribed by the Company, the Company proposes to hand over the possession of the Unit within <u>36 months from the date of commencement of construction and development of the Unit. The Allottee(s) agrees and understands that the Company shall be entitled to a grace period of <u>six months, for applying and obtaining the completion certificate/occupation certificate in respect of the Unit and/or the Project.</u></u></i> <p style="text-align: right;">(emphasis supplied)</p>
8.	Date of start of construction as per statement of account dated 02.12.2022 at page 84 of complaint	26.08.2010
9.	Due date of possession	26.08.2013 [Note: Grace period is not included]
10.	Total consideration as per statement of account dated	Rs.44,86,684/-



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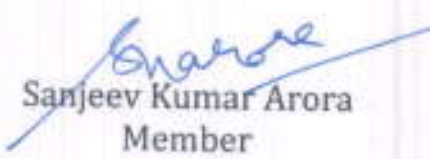
	02.12.2022 at page 84 of complaint	
11.	Total amount paid by the complainants as per statement of account dated 02.12.2022 at page 84 of complaint	Rs.44,86,687/-
12.	Occupation certificate	08.01.2018 [page 134-136 of reply]
13.	Offer of possession	23.04.2018 [page 137-145 of reply]
14.	Indemnity cum undertaking	01.06.2018 [Page 146-147 of reply]
15.	Unit hand over letter	19.07.2018 [page 148 of reply]
16.	Conveyance deed	24.09.2018 [page 149-190 of reply]

Arguments heard.


Both the parties may file brief written submissions within a period of 3 weeks with an advance copy to each other.

Order reserved.

Matter to come up on **07.05.2024** for pronouncement of orders.

  
Sanjeev Kumar Arora  
Member

  
Ashok Sangwan  
Member

  
Arun Kumar  
Chairman  
13.02.2024