

PROCEEDINGS OF THE DAY		26
Day and Date	Friday and 04.04.2025	
Complaint No.	CR/7733/2022 Case titled as Ramesh Chand Bohra and Ms. Sudesh Bohra VS Splendor Buildwell Private Limited	
Complainant	Ramesh Chand Bohra and Ms. Sudesh Bohra	
Represented through	Complainant in person with Shri Abhijeet Gupta Advocate	
Respondent	Splendor Buildwell Private Limited	
Respondent Represented	Ms. Shriya Takkar and Ms. Smriti Srivastava Advocates	
Last date of hearing	10.01.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint has been filed on 19.12.2022 an reply on behalf of respondent was received on 17.05.2023. The counsel for the complainant states that the complainant was allotted unit bearing no. 402A in Tower D admeasuring 500 sq. ft. vide MOU dated 20.07.2016. As per clause 4 of the MOU, the respondent is liable to pay assured return to the allottee @ Rs. 71.50/- per sq. ft. per month subject w.e.f. 01.08.2016 till the first lease out. Further, the respondent/developer agreed to pay minimum lease rental of Rs. 58.50/- per sq. ft. per month. The Assured return was paid till May 2018 and thereafter, the respondent has stopped paying assured return to the complainant. Further, as per clause 20 and 24 of MOU, the respondent was liable to execute BBA and sale deed respectively. However, the respondent has failed to execute the BBA and Conveyance deed till date. Thus, the complainant has approached the Authority seeking outstanding assured return, DPC, physical possession, Execution of BBA and sale deed.		



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
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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

The counsel for the respondent states that as per clause 36 of MOU, the maximum liability of the respondent to pay assure return shall never exceed the amount received by the respondent and entitlement of the complainant-allottee shall also not exceed the amount paid by him. The possession of the subject unit was offered to the complainants on 30.08.2021 after obtaining OC on 06.09.2019.

Arguments heard.

Order reserved.

Parties may file brief written submissions within a period of 2 weeks with an advance copy to each other.

Matter to come up on 09.05.2025 for pronouncement of order.

Arun Kumar
Chairman
04.04.2025