



**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

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PROCEEDINGS OF THE DAY

Day and Date	Wednesday and 10.04.2024
Complaint No.	CR/781/2023 Case titled as Archna Chandra VS Ansal Housing Limited
Complainant	Archna Chandra
Represented through	Shri Sanjeev Kumar Bhardwaj Advocate
Respondent	Ansal Housing Limited
Respondent Represented	Shri Vikas Punia proxy counsel
Last date of hearing	17.01.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint has been received on 01.03.2023 and registered as complaint no. **781 of 2023**. The reply on behalf of respondent was received on 05.09.2023.

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

Sr. No.	Particulars	Details
1.	Name of the project	"Ansal Heights 86", Sector-86, Gurugram, Haryana.
2.	Nature of project	Residential
3.	DTCP License no.	Licence No. 48 of 2011 Dated 29.05.2011
4.	RERA registered	Not registered
5.	Unit no.	A-1202 (As per payment receipt on page 41 of complaint)



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

6.	Allotment letter	2786 sq.ft (As stated by complainant in complaint)
7.	Date of execution of buyer's agreement	Not available
8.	Possession clause	Clause 34 The Company shall offer possession of the Unit any time, within a period of 42 months from the date of execution of Agreement or within 42 months from the date of obtaining all the required sanctions and approval necessary for commencement of construction , whichever is later subject to timely payment of all the dues by Applicant/Buyer and subject to force-majeure circumstances as described in clause 35. Further, there shall be a grace period of 6 months allowed to the Developer over and above the period of 42 months as above in offering the possession of the Unit. (As on page 34 of complaint)
9.	Due date of possession	03.09.2017 (calculated 42 months from date of application i.e 03.03.2014) (As on page 29 of complaint)
10.	Total sales consideration	Rs.1,51,29,898.63 /- (As per customer ledger dated 04.02.2023 on page 68 of complaint)
11.	Amount paid by the complainant	Rs.96,28,262/- (As per customer ledger dated 04.02.2023 on page 68 of complaint)
12.	Offer of possession	Not offered
13.	Occupation certificate	Not received



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14.

Conveyance deed

Not executed

The complainant have sought the refund of the entire amount paid by the complainants on the grounds of failure of the respondent to hand over the unit to the complainant in terms of the application dated 03.03.2014. The OC for the project has not been received.

The proxy counsel for the respondent states that the reply may be read as the arguments in the matter.

It is noted that in the reply submitted by the respondent it has been stated that M/s Samyak Projects Pvt. Ltd. is the necessary and proper party to be arrayed in the complaint. However, the counsel for the respondent states that the project has not been handed over to M/s Samyak Projects Pvt. Ltd. and the matter is still under arbitration.

Heard.

Order reserved.

Matter to come up on **03.07.2024** for pronouncement of order. Meanwhile both the parties may file written submissions within a period of 2 weeks with an advance copy to each other.

Ashok Sangwan
Member
10.04.2024