



**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

| PROCEEDINGS OF THE DAY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                    | 29      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|---------|
| Day and Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Wednesday and 22.01.2025                                                           |         |
| Complaint No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | CR/7812/2022 Case titled as Tanya Narula and Sangita Narula VS Emaar India Limited |         |
| Complainant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Tanya Narula and Sangita Narula                                                    |         |
| Represented through                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Shri Gaurav Rawat Advocate                                                         |         |
| Respondent                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Emaar India Limited                                                                |         |
| Respondent Represented through                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Shri Harshit Batra, Advocate                                                       |         |
| Last date of hearing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 16.10.2024                                                                         |         |
| Proceeding Recorded by                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Naresh Kumari and HR Mehta                                                         |         |
| <p style="text-align: center;"><b>Proceedings</b></p> <p>The present complaint was filed on <b>14.12.2022</b> and registered as complaint no. <b>7812 of 2022</b>. The respondent has filed an application on maintainability of the complaint on <b>29.09.2023</b> and the complainant has filed reply to the same on <b>24.01.2024</b>.</p> <p>The respondent vide application on maintainability dated <b>29.09.2023</b> submitted that the present complaint is not maintainable and is liable to be dismissed, as the conveyance deed was executed with the allottee on <b>17.12.2019</b> which marks the end of the contractual relationship between the parties and the present complaint was filed near the end of 2022 and the notice was issued on 02.01.2023 i.e., after 1122 days (3 years and 26 days). Hence, no cause of action persists after execution of conveyance deed and as conveyance deed was executed more than 3 years ago, the complaint is barred by limitation.</p> |                                                                                    |         |
| Sr. No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Particulars                                                                        | Details |



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|    |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Name of the project                    | "The Palm Terraces", Sector-66, Gurugram.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 2. | Nature of project                      | Group housing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 3. | DTCP License no.                       | License no. 228 of 2007 dated 27.09.2007<br>License no. 93 of 2008 dated 12.05.2008                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 4. | Unit no.                               | PTT-08-1001, Floor-10 <sup>th</sup> , Tower-08<br>(As on page no. 42 of complaint)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 5. | Unit area                              | 2100 sq.ft [Super-Area]<br>(As on page no. 42 of complaint)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 6. | Date of execution of buyer's agreement | 14.06.2010<br>(As on page no. 41 of complaint)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 7. | Possession clause                      | <b>14. POSSESSION</b><br><b>(a) Time of handing over the Possession</b><br><i>Subject to terms of this clause and the Allottee(s) having complied with all the terms and conditions of this Agreement and not being in default under any of the provisions of this Agreement and upon complying with all provisions, formalities, documentation etc., as prescribed by the Developer, the Developer shall make all efforts to handover possession of the Unit (which falls within <b>ground plus four floors</b> tower/building) <b>within a period of thirty (30) months from the date of commencement</b></i> |



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|     |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |                                | <p><i>of construction, and for the Unit(which falls within ground plus thirteen floor tower/building) within a period of thirty six (36) months from the date of commencement of construction, subject to certain limitations as may be provided in this Agreement and timely compliance of the provisions of this Agreement by the Allottee(s). the Allottee(s) agrees and understands that the Developer shall be entitled to a grace period of three (3) months, for applying and obtaining the occupation certificate in respect to the Unit and/or the Project.</i></p> <p><i>[Emphasis supplied]</i></p> <p><i>(As on page no. 54 of complaint)</i></p> |
| 8.  | Due date of possession         | <p>24.06.2014</p> <p>[Calculated 36 months from date of start of construction i.e., 24.06.2011]</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 9.  | Total sales consideration      | <p>Rs.1,31,11,204/-</p> <p>(As per S.O.A dated 18.11.2019 on page no. 84 of complaint)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 10. | Amount paid by the complainant | <p>Rs.1,31,11,204/-</p> <p>(As per S.O.A dated 18.11.2019 on page no. 84 of complaint)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 11. | Offer of possession            | <p>19.08.2019</p> <p>(As on page no. 78 of complaint)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 12. | Conveyance deed                | <p>17.12.2019</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |



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|     |                      |                                                |
|-----|----------------------|------------------------------------------------|
|     |                      | (As on page no. 87 of complaint)               |
| 13. | Unit handover letter | 19.10.2019<br>(As on page no. 83 of complaint) |

**The complainant has sought following relief(s):-**

1. D.P.C.
2. Direct the respondent to deliver the golf driving range.
3. Provide all amenities and golf driving range at the designated location as per the brochure and layout plan.
4. Direct to register the project.
5. Set aside the one sided indemnity bond.

Arguments heard.

Order reserved.

Both the counsels of the parties may file written arguments within a period of 15days after supplying a copy to each other.

Matter to come up on 19.02.2025 for further proceedings.

Ashok Sangwan  
Member  
22.01.2025