



**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

|                                |                                                                                                               |
|--------------------------------|---------------------------------------------------------------------------------------------------------------|
| Day and Date                   | Wednesday and 31.01.2024                                                                                      |
| Complaint No.                  | E/7919/2022/246/2019 Case titled Nayana Aggarwal and Shivendu Aggarwal VS IREO grace Realtech Private Limited |
| Complainant                    | Nayana Aggarwal and Shivendu Aggarwal                                                                         |
| Represented through            | Mr Aman Kumar Adv                                                                                             |
| Respondent                     | IREO grace Realtech Private Limited                                                                           |
| Respondent Represented through | Ms Shivani Dang Adv                                                                                           |
| Last date of hearing           |                                                                                                               |
| Proceeding Recorded by         | Jyoti Malik                                                                                                   |

### Proceedings

Heard on objections raised by JD. It is submitted by learned counsel for objector/JD that even as per order under execution, her client is entitled for recovery of outstanding dues. She has given the calculation of outstanding dues. As per this calculation, the JD has imposed delay penalty interest of Rs. 20,28,631/-.

Learned counsel for DH denied that his client (allottee) made any delay in the payment or ~~hence~~ liable to any such penalty.

No justification is given of amount of RFMS Rs. 2,31,063/-. Similarly, no detail is given as how JD has levied Rs. 7,00,987/- as taxes. No explanation of same is given. Considering aforesaid facts, I find no merit in these objections. Same are thus dismissed.

True, JD is held entitled for outstanding dues. Same can raise demand to the allottee, even if any such amount is due. As per calculation done by the Accounts Officer, a sum of Rs. 73,24,677/- was payable by JD up to 31.07.2023. I find no wrong in in this calculation.

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016  
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण  
भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



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

Admittedly, JD did not pay this amount and hence DH is entitled for interest on it. In view of the order passed by Punjab and Haryana High Court at Chandigarh, in case titled as M/s International Land Developers Pvt. Ltd. Vs. Aditi Chauhan and others CWP No. 7738 of 2022, and M/s International Land Developers Pvt. Ltd. Vs. Nitin Mathur and others 7750 of 2022 recovery certificate is required to be issued. Let recovery certificate be issued to the Collector, Gurugram to recover decretal amount as arrears of land revenue.

File be sent to Accounts Officer immediately to prepare recovery certificate. Same be got signed from the undersigned.

Compliance report be called from Accounts Officer for 08.04.2024.

(Rajender Kumar)  
Adjudicating Officer  
31.01.2024