



HARERA
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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

36

Day and Date	Thursday and 27.03.2025
Complaint No.	CR/820/2024 Case titled as Deepak Saluja and Sapna Saluja VS Landmark Apartments Private Limited
Complainant	Deepak Saluja and Sapna Saluja
Represented through	Shri Garv Malhotra Advocate
Respondent	Landmark Apartments Private Limited
Respondent Represented	Shri Amarjeet Kumar Advocate
Last date of hearing	12.12.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 07.03.2024 and registered as complaint no. 820 of 2024 and the reply on behalf of respondent has not been received till date.

The respondent filed an application for dismissal of complaint on 25.07.2024 as conveyance deed for the unit of the complainant was executed in April, 2023 and as per section 11(4) of the Act of 2016, the obligation of the respondent-promoter is limited till the time of execution of conveyance deed. The complaint was filed in March, 2023 for delay possession charges that is a year after the execution of conveyance deed, hence not maintainable.

On 12.12.2024, the complainants have filed a reply to the application for dismissal filed by the respondent stating that though the possession was taken over by the complainants under duress and on inspection it was found that the unit is not habitable, moreover the amenities as specified in buyer's agreement were not provided to the complainants. So, they are entitled for the delay possession charges as well as the amenities as promised by the respondent.

Arguments heard on the application filed by the respondent and is hereby declined as per the view already taken by the Authority in number of similar



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CK/822/2024

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

cases that the statutory relief of delay possession interest remains maintainable even after execution of conveyance deed. The respondent to file detailed reply to the complaint within next 3 weeks after supplying a copy of the same to the complainant.

Matter to come up on 17.07.2025 for further proceedings.

V-I
Vijay Kumar Goyal
Member.
27.03.2025