



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

62

Day and Date	Tuesday and 25.04.2023
Complaint No.	CR/873/2022 Case titled as Suresh Kumar Garodia Vs ANANAT RAJ LIMITED
Complainant	Suresh Kumar Garodia
Represented through	Shri Deepak Yadav Advocate
Respondent	ANANAT RAJ LIMITED
Respondent Represented	Shri Manu Bajaj Advocate
Last date of hearing	19.01.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint has been received on 11.03.2022 and the reply on behalf of the respondent was filed on 30.08.2022.

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

S. N.	Particulars	Details
1.	Name of the project	"Maceo", Sector- 91, Gurgaon
2.	Nature of project	Group housing colony
3.	RERA registered/not registered	Registered vide registration no. 314 of 2017 dated 18.08.2017
	Validity status	17.08.2019
4.	DTPC License no.	71 of 2008 dated 25.03.2008
	Validity status	24.03.2025
	Licensed area	15.575 acres



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28/11/2019

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

	Name of licensee	Jubliant Software Service Private Limited
5.	Application form	
6.	Unit no.	103 on 1 st floor of tower E [As per draft settlement agreement of page no. 27 of complaint]
7.	Unit area admeasuring	2320 sq. ft. [Super area] 3BHK+ study room+ SR [As per page no. 13 of complaint]
8.	Allotment letter	No formal allotment letter placed on record [As per draft settlement agreement, it was accepted by the builder-respondent that the aforesaid unit was provisionally allotted to the complainant]
9.	Date of apartment buyer agreement	Not executed
10.	Total sale consideration	Rs. 90,00,000/- [As per draft settlement agreement of page no. 27 of complaint]
11.	Amount paid by the complainant	Rs. 9,00,000/- [As per draft settlement agreement of page no. 27 of complaint]
12.	Possession clause	NA
13.	Due date of possession	NA
14.	Occupation certificate	28/11/2019 (Tower-A, C, D, E, F, L, M, N and EWS Block-B)

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अर्तगत गठित प्राधिकरण



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		[As per DTCP site]
15.	Offer of possession	Not offered
16.	Surrender dated	05.12.2020 [As per page no. 17 of complaint]
17.	Reminder dated	07.12.2020 Followed by legal notice dated 16.12.2020 [As per page no. 18 of complaint]
18.	Settlement draft sent by the respondent to the complainant	07.01.2021 [As per page no. 20 of complaint]


The counsel for the respondent states at bar that they are ready to return the amount of Rs.9 Lakhs paid by the complainant at the time of booking of the unit without interest as withdrawal from the project is on the request of the complainant. However, the complainant states that the payment of Rs.9 Lakhs as advance money was made with a condition that the cheque shall be encashed only on handing over of certified true copy of the application form. But the respondent states that the same could not be handed over as there is no application form nor any allotment letter or any BBA.

Arguments heard.

The respondent is directed to refund the amount of Rs.9 Lakhs received as advance money from the complainant within 2 months from today failing which the interest @ 10.70% per annum shall be payable.

Matter stands disposed off. Detailed order will follow. File be consigned to the registry.


Sanjeev Kumar Arora
Member


Vijay Kumar Goyal
Member
25.04.2023