

PROCEEDINGS OF THE DAY		3
Day and Date	Thursday and 13.07.2023	
Complaint No.	CR/874/2022 Case titled as Vikas Dhand and Vimmi Dhand Vs Tashee Land Developers Private Limited	
Complainant	Vikas Dhand and Vimmi Dhand	
Represented through	Shri Sushil Yadav Advocate	
Respondent	Tashee Land Developers Private Limited	
Respondent Represented	Shri Rishabh Jain Advocate	
Last date of hearing	09.03.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

Shri Rishabh Jain Advocate has appeared on behalf of the respondent and filed power of attorney and a certified copy of resolution passed by the Board of Directors. Previous costs paid by the counsel for the respondent to the complainant during proceedings.

Counsel for the respondent states at bar that OC in respect of phase- I has been applied but the OC in respect of any unit including the unit of the allottee is not yet received and hence no offer of possession is made till date.

The counsel for the respondent states that the complainant has filed the affidavit which was duly signed by both the complainant which is not as per law and the complainants may be directed to file individual affidavit. The counsel for the complainant is directed to file an affidavit duly signed by individual allottee today itself.

Succinct facts of the case as per pleadings and annexures are as under:

S. N.	Particulars	Details
1.	Name of the project	Capita Gateway, Sector - 111, Gurugram

2.	Project area	10.462 acres
3.	Nature of the project	Residential
4.	DTCP license no. and validity status	34 of 2011 dated 16.04.2011 valid up to 15.04.2024
5.	Name of licensee	M/s KNS Infracon Pvt. Ltd. and others
6.	RERA Registered/ not registered	Registered vide no. 120 of 2018 dated 10.01.2018
7.	Unit no.	F-502 (Page 14 of complaint)
8.	Unit area admeasuring	1695 sq. ft. (Page 14 of complaint)
9.	Date of execution of agreement	23.01.2013 (Page 13 of complaint)
12.	Due date of possession	07.06.2015 36 months from sanctioning of building plan i.e., 07.06.2012)
13.	Total sale consideration	Rs.57,28,371/- (Page 2 of complaint)
14.	Amount paid by the complainant	Rs.54,51,159/- (Page 2 of complaint)
16	Occupation certificate	To be ascertained

Arguments heard.

The respondent is directed to grant delayed possession charges at prescribed rate of interest i.e. 10.70% per annum from the due date of possession i.e. 07.06.2015 till valid offer of possession after obtaining occupation certificate.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/874/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

The respondent is further directed to adjust the delayed possession charges towards the outstanding amount payable by the complainant in the ledger account of the complainant and the remaining amount of DPC be paid to the complainant within a period of 90 days.

The respondent shall offer the possession on receipt of occupation certificate from the competent authority within a period of one month.

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


Vijay Kumar Goyal
Member
13.07.2023