



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
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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	Thursday and 12.11.2020
Complaint No.	CR/930/2020 Case titled as Ajay Narain Gupta V/S Raheja Developers Limited
Complainant	Ajay Narain Gupta
Represented through	Shri Harshit Batra Advocate
Respondent	Raheja Developers Limited
Respondent Represented through	None
Last date of hearing	25.09.2020
Proceeding Recorded by	Naresh Kumari

Proceedings

Case has been called out, but no one has appeared on behalf of the respondent. It is already 12.30 PM. Waited sufficiently. Hence, the respondent is proceeded exparte.

Arguments heard.

It is strange that despite the lapse of due date, no offer of possession has been given nor any occupation certificate has been received by the respondent. Registration certificate No.32 of 2017 dated 4.8.2017 was valid for five years from the date of revised environment clearance. Since the project is not complete, it direly needs essential of registration certificate for which a notice under section 59 for violation of Section 3 (1) of the Act ibid be issued by the Planning branch on account of non-renewal of the RERA registration certificate. The unit has not been delivered to the complainant till date, the complainant is well within his right to get delayed possession charges.

As per clause 4.2 of BBA executed between the parties on 26.06.2012, the possession of the unit was to be handed over to the complainant within a

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



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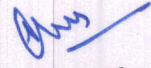
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period of 48 month. Further six months grace period on account of any force majeure has been allowed and the due date of delivery of possession comes out to be 26.12.2016. As such, the complainant is entitled for delayed possession charges under section 18 (1) of the Real Estate (Regulation & Development) Act, 2016 at the prescribed rate of interest i.e. 9.30% per annum on the amount deposited by the complainant with the respondent from the due date of possession till handing over the actual physical possession of the allotted unit.

Complaint stands disposed of. Detailed order will follow. File be consigned to the registry.


Samir Kumar
(Member)
12.11.2020


Subhash Chander Kush
(Member)

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