

PROCEEDINGS OF THE DAY		88
Day and Date	Wednesday and 26.07.2023	
Complaint No.	CR/973/2022 Case titled as Deepak Dagar Vs Ansal Housing Limited & anr.	
Complainant	Deepak Dagar	
Represented through	Ms. Priyanka Agarwal Advocate	
Respondent	Ansal Housing Limited & anr.	
Respondent Represented through	Shri Amandeep Kadyan Advocate	
Last date of hearing	26.04.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint has been received on 10.03.2022 and the reply on behalf of respondent has been received on 06.07.2022.

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

S. N.	Particulars	Details
1.	Name of the project	Ansal Heights,86
2.	Project location	Sector 86, Gurugram, Haryana
3.	Project area	12.843 acres
4.	Nature of the project	Group housing colony
5.	DTCP license no. and validity status	48 of 2011 dated 29.05.2011 valid up to 28.05.2017
6.	Name of licensee	Resolve Estate Pvt. Ltd.
7.	RERA registration details	Not registered



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR 973/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

8.	Unit no.	J-0706 [page 25 of complaint]
9.	Unit area admeasuring	1690 sq. ft. super area
10.	Date of execution of builder buyer agreement with original allottee	20.03.2013 [page 22 of complaint]
11.	Transfer of unit in name of complainant	25.09.2013 [page 57 of complaint]
12.	Possession clause	31. <i>The developer shall offer possession of the unit any time, within a period of 42 months from the date of execution of the agreement or within 42 months from the date of obtaining all the required sanctions and approval necessary for commencement of construction, whichever is later subject to timely payment of all dues by buyer and subject to force majeure circumstances as described in clause 32. Further, there shall be a grace period of 6 months allowed to the developer over and above the period of 42 months as above in offering the possession of the unit."</i> (Emphasis supplied) [page 30 of complaint]
13.	Date of commencement of construction taken from another complaint of same project	01.10.2013
14.	Due date of possession	01.10.2017 [Note: Due date calculated from date of commencement of construction i.e.,



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CR/973/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

		01.10.2013 being later. Grace period allowed being unqualified]
15.	Basic sale consideration as per payment plan annexed with BBA dated 20.03.2013	₹ 74,44,548.50/- [pg. 38 of complaint]
16.	Amount paid by the complainant as per calculation sheet dated 12.09.2013 and sum of receipts annexed with complaint at page 42-46	₹ 56,12,089/-
17.	Occupation certificate	Not yet obtained
18.	Offer of possession	Not offered

Arguments heard.

The respondents are directed to pay delayed possession charges at the prescribed rate of interest i.e. 10.75% per annum from the due date of possession till the handing over of possession or offer of possession plus two months whichever is earlier. Possession of the unit shall be handed over after obtaining the occupation certificate from the competent authority within a period of 2 months.

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


Ashok Sangwan
Member
26.07.2023