



HARERA
GURUGRAM

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		31
Day and Date	Wednesday and 28.05.2025	
Complaint No.	CR/983/2024 Case titled as Shailender Godara VS Mascot Buildcon Private Limited	
Complainant	Shailender Godara	
Represented through	Complainant in person with Shri Harshit Batra Advocate	
Respondent	Mascot Buildcon Private Limited	
Respondent Represented	Shri Gulshan Sharma Advocate	
Last date of hearing	07.05.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint was filed on 22.03.2024 and reply on behalf of respondent was filed on 17.07.2024. Succinct facts of the case are as under:		
S. No.	Particulars	Details
1.	Name and location of the project	"Oodles Skywalk", Sector 83, Gurugram
2.	Project area	3.03 acres
3.	Nature of the project	Commercial Colony
	DTCP license no. and other details	8 of 2013 dated 05.03.2013 Valid up to- 04.03.2017 Licensee- Dharam Singh
4.	RERA Registered/ not registered	Registered vide no. 294 of 2017 dated 13.10.2017 Valid up to- 31.12.2019
5.	Unit no.	G-85, Ground floor (page 23 of complaint)



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6.	Unit area admeasuring (super area)	238.75 sq. ft. (page 23 of complaint) Revised super area- 228.04 sq.ft. (page 80 of complaint)
7.	Allotment Letter	25.09.2014 (Page 18 of complaint)
8.	Date of execution of buyer's agreement	07.10.2014 (page 21 of complaint)
9.	Possession Clause	38. The "Company" will, based on its present plans and estimates, contemplates to offer possession of said unit to the Allottee(s) within 36 months (refer d. 37 above) of signing of this Agreement or within 36 months from the date of start of construction of the said Building whichever is later with a grace period of 3 months, subject to force majeure events or Governmental action/inaction.
10.	Date of start of construction	Not on record
11.	Due date of possession	07.10.2017 (Calculated as 36 months from date of execution of BBA as date of start of construction is not available on record) (Grace period of 3 months is disallowed as no substantial evidence/document has been placed on record to corroborate that any such event, circumstances, condition has occurred which may have hampered the construction work)
12.	Total sale consideration	Rs.34,45,163/- (Exclusive of applicable taxes and charges) (As per BBA on page 24 of complaint)



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13.	Amount paid by the complainant	Rs. 33,56,874.76/- (as per demand letter dated 08.11.2023 on page 64 of complaint)
14.	Occupation certificate	26.10.2023
15.	Demand letter for offer of possession	08.11.2023 (page 64 of complaint)
16.	Possession certificate	14.02.2024 (page 82 of complaint)

Arguments heard.

The counsel for the respondent states that the complainant has forgone his right for claiming DPC and other reliefs in terms of the letter dated 14.02.2024 and the possession certificate of the same date.

The complainant present in person states that the said undertaking was signed as the complainant had no choice in the matter.

Order pronounced.

The respondents/promoter is directed to pay interest to the complainant against the paid-up amount at the prescribed rate i.e., 11.10% p.a. for every month of delay from the due date of possession i.e., 07.10.2017 till offer of possession plus 2 months or actual handing over of possession, whichever is earlier, as per Section 18(1) of the Act of 2016 read with Rule 15 of the Rules.

Detailed order will follow. Matter stands disposed off.

Ashok Sangwan
Member
28.05.2025