

PROCEEDINGS OF THE DAY		20
Day and Date	Thursday and 08.02.2024	
Complaint No.	CR/985/2022 Case titled as Sashi Yadav VS Four S Developers Private Limited	
Complainant	Sashi Yadav	
Represented through	Complainant in person with Shri Sukhbir Yadav Advocate	
Respondent	Four S Developers Private Limited	
Respondent Represented	Shri Dhruv Rohatgi Advocate	
Last date of hearing	01.02.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings		
The present complaint was filed on 10.03.2022 and the reply on behalf of respondent was received on 08.06.2022.		
Succinct facts of the case are as under:		
S. No.	Particulars	Details
1.	Name of the project	Aradhya Homes, Sector 67-A, Gurugram
2.	RERA registration	27 of 2020 dated 22.06.2020 upto 31.09.2021
3.	Unit no.	4143, 3 rd floor
4.	Total area	Not mentioned
5.	Date of booking	25.07.2021 (Page 41 of the complaint)
6.	Date of buyer's agreement	Not executed

7.	Possession clause	Cannot be ascertained
8.	Due date of possession	Cannot be ascertained
9.	Total sale consideration	Rs.1,38,00,000/-
10.	Amount paid by the complainant	Rs.5,00,000/- (Annexure C-2 page 38 of the complaint)
11.	Occupation certificate	15.12.2021
12.	Offer of possession	Not offered
13.	Refund request made by the complainant through e-mail	13.08.2021

The respondent vide email dated 14.08.2021 25.07.2021 has demanded the payment of 30% within 15 days from date of booking i.e. on or before 10.08.2021. Neither any allotment letter is issued nor any letter forwarding the BBA to the complainant allottee is submitted and the email at page 45 talks of signing of BBA but neither any draft of BBA is attached.

The counsel for the respondent states that occupation certificate of the unit/project has been obtained from the competent authority vide letter no.13118 dated 15.12.2021 and the refund request has been made much before the OC is obtained i.e. on 13.8.2021. But the counsel for the complainant states that the respondent in his reply has mentioned that the OC has been received on 12.4.2022 for which the counsel for the respondents states that the date of receipt of OC i.e. 12.4.2022 is written inadvertently in fact the actual date of receipt of OC is 15.12.2021.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
CR 985/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

The counsel for the respondent has placed on record a copy of the written submissions.

Arguments heard.

Detailed order will follow. Matter stands disposed off.

V1-3
Vijay Kumar Goyal
Member
08.02.2024