



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1175 OF 2023

Kaushlendra Singh

....COMPLAINANT

VERSUS

M/s BPTP Ltd.

....RESPONDENT

CORAM: Dr. Geeta Rathee Singh
Chander Shekhar

Member
Member

Date of Hearing: 19.11.2024

Hearing: 5th

Present: - Sh. Kaushlendra Singh, Complainant through VC

Adv. Tejeshwar Singh, Learned counsel for respondent through VC

ORDER:

1. Sh. Kaushlendra Singh, Complainant stated that in compliance of last order dated 23.07.2024, he had visited the project site on 30.07.2024 where he was told by representative of respondent that his matter is pending with Authority, therefore, possession will be handed over after passing of relevant orders only. He further apprised the Authority that on

inspection of the booked unit, he found numerous deficiencies in the unit, same were conveyed to respondent as well as Authority vide document dated 20.08.2024. He thus requested the Authority to decide the matter on merits.

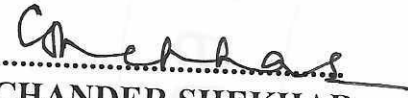
2. Sh. Tejeshwar Singh, appeared on behalf of respondent and stated that an application for submission of copy of occupation certificate dated 30.04.2024 and copy of offer of possession dated 02.08.2024 was filed yesterday i.e. 18.11.2024 in the registry along with written submissions. Further, learned counsel for respondent has encapsulated his arguments as following:

- i. Admittedly floor buyer agreement was executed between parties on 09.02.2012 for unit bearing no. PE-99-GF, situated in Park Elite Floors, Parklands, Faridabad. As per clause 5.1 of agreement, due date of possession was 24 months from date of execution of agreement along 180 days grace period, which comes to 09.08.2014.
- ii. Admittedly there is a delay in handing over of possession and respondent-promoter is ready to pay the delay charges to complainants subject to consideration that respondent is liable to pay delay charges from deemed date of possession i.e. 09.08.2014 till offer of possession or till occupation for the unit was obtained by respondent whichever is later. In



present case, offer of possession was made on 02.08.2024 after obtaining occupation certificate on 30.04.2024.

- iii. Respondents counsel prayed for relaxation in deemed date of possession on account of force majeure event including 9 months due to Covid-19 outbreak.
3. Lastly, respondent counsel stated that he has not received any copy of document dated 20.08.2024.
4. Case is adjourned to **08.04.2025** for further arguments and for consideration.


CHANDER SHEKHAR
[MEMBER]


DR. GEETA RATHEE SINGH
[MEMBER]