



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1628 OF 2023

Renu Mathur & Dinesh Behari Mathur

....COMPLAINANT

VERSUS

Countrywide Promoters Pvt Ltd.

....RESPONDENT

CORAM:

**Nadim Akhtar
Chander Shekhar**

**Member
Member**

Date of Hearing: 05.08.2024

Hearing: 3RD

Present: -

Mr. Arjun Kundra, Counsel for complainant.
Mr. Hemant Saini, Counsel for the respondent

ORDER (NADIM AKHTAR- MEMBER)

1. As per office record, rejoinder has already been filed by complainants in registry on 20.06.2024 with an advance copy supplied to respondent. Today, ld. counsel for respondent stated that hard copy of rejoinder be supplied. Respondent is at liberty to collect the same from office.
2. Ld. counsel for complainants stated that unit no. OM-12-05-GF having area of 1478 sq. ft was allotted to complainants in project-Park-81 by

respondent vide allotment letter dated 20.06.2011. Builder buyer agreement was executed between the parties on 07.07.2011 and in terms of it, the possession was supposed to be delivered upto 07.07.2014. However, respondent had offered possession of unit on 08.06.2023 alongwith additional demand of Rs. 11,69,104/-. Said offer was not accepted by complainants due to illegal demands raised on account of cost escalation, increase in area from 1478 sq. ft to 1536 sq. ft, club membership charges, Services Tax, GST, VAT. In respect of increased area, he referred to copy of occupation certificate wherein approved area for ground floor is 116.28 sq. meters only then how can respondent ask for amount for the increased area over and above of the approved area as specified in occupation certificate. He further stated that delay interest for the delay caused has not been incorporated in the statement of account issued with offer of possession.

3. In rebuttal, ld. counsel for respondent stated that offer of possession dated 08.06.2023 was issued after receipt of occupation certificate 20.07.2022. Complainant has not come forward to accept a valid offer of possession. In respect of issue of additional demands, he sought time to file detailed justification for each of the disputed demand.

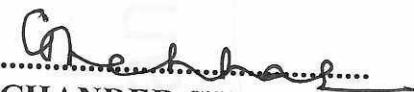
4. At this point, learned counsel for the respondent was asked to explain the difference in the area of the unit in terms of the buyer's agreement



mentioned therein and that of the occupation certificate. Learned counsel for respondent sought time to seek clarification from his client regarding the same.

5. In view of above submissions, Authority directs the respondent to provide detailed justification for the disputed demands pointed by complainant and clarification regarding difference in area in agreement and occupation certificate. Said information be filed within next 3 weeks with an advance copy supplied to complainant. Further, component wise detail of increased area vis-à-vis the original area be also provided by respondent well before the next date of hearing.

6. Case is adjourned to 02.09.2024.


CHANDER SHEKHAR
[MEMBER]


NADIM AKHTAR
[MEMBER]