



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2369 OF 2023

Yogender Kumar

....COMPLAINANT

Versus

M/s.Omaxe Ltd.

....RESPONDENT

**CORAM: Dr. Geeta Rathee Singh
Chander Shekhar**

**Member
Member**

Date of Hearing: 07.01.2025

Hearing: 5th

Present: Adv. Mohinder Aggarwal, Ld.Counsel for complainants
Adv. Arjun Sharma, Ld.Counsel for respondent through VC

ORDER

1. Ld. Counsel for complainants stated that apartment buyer agreement was signed on 08.04.2014 and complainant was allotted apartment no.501 in tower no.18, admcaasuring area 1280 sq. ft. in the real estate project namely "Omaxe Shubhangan" being developed by respondent promoter. Complainant had paid Rs.29,33,358/- against total sale price of Rs.31,17,029/-.

2. He further stated that as per clause 40(a) of apartment buyer agreement respondent was liable to complete the construction of the unit within 18 months from the date of signing of agreement or within an extended period of six months i.e. by 08.04.2016, however, even after lapse of eight years project is still not completed. Aggrieved by the fact that unit was not handed over within stipulated time, complainant wish to withdraw from the project and seeks refund along with interest.
3. Ld. counsel for respondent stated that an allotment letter was issued in favour of complainant on 12.04.2014 and that possession of unit was subject to force majeure conditions and timely payments by allottee. He further stated that construction of project got delayed due to force majeure conditions including covid 19 outbreak.
4. Ld. Counsel for respondent admitted that occupation certificate has yet not been received from competent Authority.
5. Case is adjourned to 27.05.2025 for further arguments and consideration.


CHANDER SHEKHAR
[MEMBER]


Dr. GEETA RATHEE SINGH
[MEMBER]