



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 2409 OF 2023

Saroj

.....COMPLAINANT

Versus

BPTP Ltd

.....RESPONDENT

CORAM: **Parneet S. Sachdev**
 Nadim Akhtar

Chairman
Member

Date of Hearing: 11.09.2025

Hearing: 7th

Present: - Mr. Alankar, Counsel for the Complainant through VC.
 Mr. Tejeshwar Singh, Counsel for the respondent through VC.

ORDER (PARNEET S. SACHDEV-CHAIRMAN)

1. Today, Id. counsel for complainant submitted that complainant was allotted unit no. L-302 vide execution of builder buyer agreement dated 04.06.2011 by the respondent. In total, an amount of Rs 34,21,403/- has already been paid against total sale consideration of Rs 26,45,000/-. In

pursuance of the same, respondent had offered possession on 30.05.2013. However, same was not acceptable to complainant as it was not supported with Occupation Certificate and was given with additional illegal demands. Moreover, respondent now relies upon the Occupation certificate dated 13.12.2013 in order to validate the offer of possession dated 30.05.2013. But said occupation certificate does not include the tower-'L' in which complainant's unit is located. Any intimation in respect of receipt of Occupation certificate and valid offer of possession has not been made by respondent till date. Hence, present complaint seeking refund of paid amount with interest has been filed.

2. In rebuttal, ld. counsel for respondent argued that occupation certificate for the tower in question ,i.e. Tower-L stands received on 13.12.2013. For the marketing purpose, name of tower-L is taken as tower-C-3, and as such it is included in occupation certificate dated 13.12.2013. Thereafter, offer of possession was sent to complainant on 30.05.2013 however complainant did not come forward to pay due amount. So, final opportunity letter for making payment was issued to complainant on 14.09.2020. But complainant still did not come forward to accept possession. So, allotment of complainant automatically stood cancelled.
3. At this stage, query was raised to ld. counsel for respondent as to whether any amount was refunded to complainant after cancellation or



not? To which, he replied that no amount was refunded, it still lies with respondent-developer.

4. Arguments heard.
5. Case is adjourned to 11.12.2025 for final consideration.


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NADIM AKHTAR
[MEMBER]


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PARNEET S. SACHDEV
[CHAIRMAN]

