



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2634 OF 2022

Arun Kumar Kapoor

....COMPLAINANT

VERSUS

M/s BPTP Ltd and anr

....RESPONDENTS

CORAM: Dr. Geeta Rathee Singh

Member

Nadim Akhtar

Member

Date of Hearing: 22.08.2023

Hearing: 4th

Present: Mr. Gaurav Gupta, Counsel for the complainant.
Mr. Hemant Saini and Mr. Himanshu Monga, Counsel for
the respondents.

ORDER:(NADIM AKHTAR- MEMBER)

1. On the last date of hearing, learned counsel for both parties had sought time for effecting settlement between the parties. Respondent had offered settlement of refund of paid amount along with interest @ 9% to the complainant.

2. Today, Mr. Hemant Saini, learned counsel for the respondents has submitted that the project in question in present complaint, i.e, Park Central is not being constructed and that the respondent company is not in a position to offer possession of the unit booked by the complainant in foreseeable future. Respondent company is ready to offer refund of the paid amount to the complainant along with interest. In present complaint, complainant has paid a total amount of ₹ 20,64,016/- to the respondents and the interest on paid amount @ 9% works out to ₹ 17,97,004/-, thus the total amount payable to complainant works out to ₹ 38,61,020/-. Mr. Hemant Saini, learned counsel for the respondents tendered payment to the tune of ₹ 38,61,020/- vide post dated cheques in favour of the complainant in Court today itself.
3. Mr. Gaurav Gupta, learned counsel for the complainant stated that he has explicit instructions not to accept refund of the paid amount along with interest. Therefore, he refused to accept the cheques tendered by the opposite counsel.
4. At this point, Mr. Hemant Saini, learned counsel for the respondents submitted that in case complainant is not ready to accept refund of the paid amount then respondent company is ready to offer possession of an alternate unit to the complainant.
5. Learned counsel for the complainant submitted that his client had recently suffered from a heart attack and is still under recovery. Therefore, he sought time to seek instructions from his client with regard to offer of possession of



alternate unit. Accepting the request of learned counsel for the complainant,
case is adjourned to 18.10.2023.


.....
DR. GEETA RATHEE SINGH
[MEMBER]


.....
NADIM AKHTAR
[MEMBER]