



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 3112 OF 2022

Satish Kumar

....COMPLAINANT

Versus

M/S. Omaxe Ltd.

....RESPONDENT

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

**Member
Member**

Date of Hearing: 04.02.2025

Hearing: 7th

Present: - Rema Luthra, proxy for Adv. Vivek Luthra, Ld. Counsel for complainant through VC

Adv. Munish Gupta, Ld. counsel for respondent through VC

ORDER

1. Proxy Counsel for complainant stated that builder buyer agreement was executed between parties on 02.05.2016 and complainant was allotted unit no 403 in tower no.19 in the real estate project namely "Omaxe Shubhangan" being developed by respondent promoter. Accordingly

complainant had paid Rs.22,26,299 /- against total sale price of Rs.22,85,350/-

2. She further stated that as per clause 40(a) of builder 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 02.05.2018, however, even after lapse of seven years project is still not completed. Furthermore, proxy counsel for complainant stated that complainant also sent legal notice to respondent dated 30.04.2019 to handover physical possession however till date possession is not offered. Therefore, complainant is praying for the relief of possession along with interest.
3. Ld. counsel for respondent stated that he is not disputing builder buyer agreement, payments made by complainant. Further, he stated that development of project is still under process and respondent is not in position to immediately handover physical possession of unit to complainant.
4. Case is adjourned to 01.07.2025 for further arguments and consideration.


CHANDER SHEKHAR
[MEMBER]


Dr. GEETA RATHEE SINGH
[MEMBER]