



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 711 OF 2024

Madhu Sareen and Anr.

....COMPLAINANT

VERSUS

BPTP Ltd.

....RESPONDENT

CORAM: Nadim Akhtar

Member

Chander Shekhar

Member

Date of Hearing: 03.02.2025

Hearing: 2nd

Present: Adv. Nitin Kant Setia, counsel for complainant through VC.

Adv. Hemant Saini, counsel for respondent.

ORDER: (NADIM AKHTAR-MEMBER)

1. As per the last order dated 29.07.2024, the respondent was directed to file reply which has been filed in the registry on 30.01.2025.
2. Learned counsel for the complainant initiated his arguments by stating that the respondent, on page 111 of his reply, has calculated the interest payable

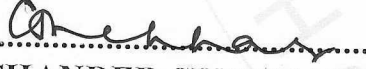
on account of delayed possession. However, the respondent has failed to provide a tabular explanation of the rate at which the interest has been calculated.

3. Learned counsel for the respondent stated that the complainant had booked his unit in the project named *Park Central, Sector 85, Faridabad*, which is not expected to be completed in the near future.
4. Learned counsel for the respondent stated that the complainant had claimed refund of an amount of ₹34,05,872/-. However, out of this amount, one cheque amounting to ₹3,49,580/- had been dishonored. As a result, the total amount received by the respondent stands at ₹30,56,292/-. The learned counsel for respondent further submitted that respondent has calculated total refund amount of ₹73,35,838/- which includes ₹69,07,883/- as the amount to be refunded to the complainant plus + ₹4,27,955/-(TDS) to be handed over to the complainant. He further presented four cheques total amounting to ₹69,07,883/-. Details of cheques are as under:

- a. Cheque bearing no. 755685 amounting to ₹15,28,146/- dated 30.01.2025.
- b. Cheque bearing no. 755688 amounting to ₹19,25,796/- dated 30.01.2025.
- c. Cheque bearing no. 755687 amounting to ₹19,25,795/- dated 30.01.2025.
- d. Cheque bearing no. 755686 amounting to ₹15,28,146/- dated 30.01.2025.



5. The Authority inquired from the learned counsel for the complainant whether the complainant is willing to accept refund of the amount paid in the present complaint. The complainant responded affirmatively.
6. The Authority further inquired whether the complainant is willing to accept the cheques presented by the respondent, to which the complainant gave his consent.
7. Learned counsel for the complainant accepted the cheque in the Court itself. If the complainant finds any discrepancy in the receivable and payable amounts, he may file an objection in the registry, with an advance copy supplied to the opposite party.
8. Case is adjourned to 07.04.2025.


CHANDER SHEKHAR
[MEMBER]


NADIM AKHTAR
[MEMBER]