



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 742 OF 2024

Sanjay Khatri

....COMPLAINANT

VERSUS

M/s. Omaxe Ltd.

....RESPONDENT

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

**Member
Member**

Date of Hearing: 17.12.2024

Hearing: 2nd

Present: - Adv. Sahil Dagar, Ld. Counsel for complainant through VC

Adv. Ashim Aggarwal, Ld. Counsel for respondent through VC

ORDER

1. Today, ld. counsel for complainant appeared and stated that he does not wish to file rejoinder and wants to argue the matter. He stated that complainant booked unit no.T-4/502 in the real estate project "Omaxe Shubhangan" being developed by respondent. Builder buyer agreement was executed on 19.04.2016. Complainant paid Rs. 14,06,369 towards total sale price of Rs.15,97,200/-. Complainant further argued that as per clause 40(a) of the builder buyer agreement respondent had to give the

possession of the unit within 24 months from the signing of builder buyer agreement i.e. by 19.04.2018. However, even after lapse of six years respondent has not offered the possession of unit to complainant.

Therefore, complainant seeks refund along with interest.

2. Ld.Counsel for respondent admitted that there is delay in handing over possession. However, he argued that possession was subject to force majeure condition.
3. Case is adjourned to 27.05.2025 for further arguments and consideration.


CHANDER SHEKHAR
[MEMBER]


Dr. GEETA RATHEE SINGH
[MEMBER]