

PROCEEDINGS OF THE DAY		54
Day and Date	Wednesday and 03.08.2022	
Complaint No.	CR/4170/2022 Case titled as Kumar Skanda Vs Mahindra Homes Private Limited	
Complainant	Kumar Skanda	
Represented through	Complainant in person	
Respondent	Mahindra Homes Private Limited	
Respondent Represented	Ms. Priyanka Agarwal Advocate with Ms. Mitakshi Ghosh AR	
Last date of hearing	First hearing	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 30.06.2022 with the authority and the reply on behalf of respondent was received on 20.07.2022.

S. N.	Particulars	Details
1.	Name of the project	Luminare, Sector - 59, Gurugram
2.	DTCP License no.	16 of 2008 dated 3101.2008
3.	RERA Registration	47 of 2017 26.10.2017 dated
4.	Agreement for sale	07.12.2020 (Annexure - A) [between i.e., Mahindra Homes Pvt. Ltd. And present complainant and his wife]
5.	Allotment letter	29.06.2020



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CRJ 9/10/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

		(As per page 8 of agreement of sale)
6.	Unit no.	Tower – A, UB-29 and UB-30 (As per page 10 of agreement of sale)
7.	Unit area	17933.56 sq. ft. (As per page 10 of agreement of sale)
8.	Total sale consideration	Rs. 2,98,50,000/- (As per page 10 of agreement of sale)
9.	Amount paid	There is no such document placed on record
10.	Possession clause	<i>7.1 – The promoters have completed the construction of tower – 1 of the real estate projects and have received the occupancy certificate from the relevant authority. The promoters have offered the “ready to move in possession” of the apartment to the allottee with the specifications and amenities thereof mentioned in schedule vii hereto and the common areas/services/ facilities which are part of real estate project as mentioned in schedule vii hereto.</i>
11.	Occupation certificate	22.01.2019 (As per page 52 of agreement of sale)
12.	Offer of possession	21.06.2022 (As per annexure B of complaint)

The complainant has sought following relief: -

- 1. The CAM charges for the first 6 months should be corrected in accordance with the terms of the Agreement for Sale (Clause 1.2, 1.3 and 12.1) and prescribed regulations.**

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण
भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



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The main issue in this complaint is regarding illegally charging maintenance charges as alleged by the complainant but the respondent's counsel made a statement that these were inadvertently raised against the complaint which will be withdrawn within a week and the company apologizes for the same.

The respondent promoter shall maintain proper accounts particularly of the interest accrued in IBMS and same shall be payable to the association of the allottees as and when the association is constituted.

Matter stands disposed of. File be consigned to the registry.

V.1-3

Vijay Kumar Goyal
Member

Dr. KK Khandelwal
Chairman
03.08.2022