



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी.डब्ल्यू.डी. विश्राम गृह. सिविल लाईंस. गुरुग्राम. हरियाणा

PROCEEDINGS OF THE DAY		72
Day and Date	Wednesday and 06.07.2022	
Complaint No.	CR/5058/2021 Case titled as Dev Prakash Goel Vs Ansal properties & infrastructure limited	
Complainant	Dev Prakash Goel	
Represented through	Dr. Shyam Taneja Advocate	
Respondent	Ansal properties & infrastructure limited	
Respondent Represented through	Shri Tushar Bahmani Advocate	
Last date of hearing	30.03.2022	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint has been received on 22.12.2021 and the reply on behalf of respondent has not been received within the stipulated time period despite service of notice. Since the respondent no. 1 put in appearance through its counsel Sh. Tushar Bahmani Advocate, on 30.03.2022 and filed memo of appearance. Further, the counsel for the respondent requested for adjournment to file written reply and the same was allowed with a specific direction to file the same within 2 weeks with an advance copy to the complainant. However, the respondent has failed to comply with the orders of the authority dated 30.03.2022, by not filing written reply within the time allowed, therefore, the defence of the respondents are struck off.

Succinct facts of the case as per complaint and reply are as under:

S. N.	Particulars	Details
1.	Project name and location	"Ansal corporate plaza", Sector-3, Gurugram
2.	Project area	4 acres

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 अर्तगत गठित प्राधिकरण
भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



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CR/5058/2021

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3.	Nature of the project	Commercial colony
4.	DTCP license no. and validity status	1072-1076 of 2006 dated valid up to
5.	Name of licensee	
6.	RERA registration details	Not registered
7.	Unit no.	F-201 [pg. 25 of complaint]
8.	Unit measuring	1519 sq. ft. [pg. 25 of complaint]
9.	Date of allotment letter	Not mentioned [pg. 25 of complaint]
10.	Possession clause	No possession clause mentioned in allotment letter
11.	Due date of possession	Cannot be ascertained
12.	Delay in handing over of possession till the date of this order i.e., 06.07.2022	Cannot be ascertained
13.	Basic sale consideration as per allotment letter	₹ 60,83,443/- [pg. 25 of complaint]
14.	Amount paid by the complainant as the complainant opted for down payment plan as agreed in settlement agreement dated 13.02.2018	₹ 60,83,443/- [pg. 21 of complaint]
15.	Occupation certificate	Not known

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16.	Handing over of possession	23.04.2018 [pg. 37 of complaint]
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The complainant has sought following relief:

1. Direct the respondent to execute sale deed in favor of complainant.

The respondent is under obligation as per section 17 of Act to get the conveyance deed executed in favour of the complainant as the possession of the unit has already been handed over to the complainant by the respondent vide letter dated 23.04.2018. The counsel for the respondent is directed to execute the conveyance deed in favour of the complainant within 15 days and thereafter submit a compliance report in this regard within 10 days.

2. Direct the respondent not to levy maintenance charges till execution of sale deed.

In the present matter, vide settlement agreement dated 13.02.2018 the parties agreed that at clause 10 that there will be no maintenance charge till 31.03.2019 and there is no document on record to show that the maintenance charges have been charged by the respondent after 31.03.2019. Accordingly, authority cannot deliberate upon this relief.

The complaint stands disposed of with the above directions to the respondent. File be consigned to registry.

V.I-3

Vijay Kumar Goyal
Member

Dr. KK Khandelwal
Chairman
06.07.2022