



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

Day and Date	Tuesday and 25.02.2020
Complaint No.	CR/585/2020 Case titled as Anupam Gupta V/S Ireo Private Limited
Complainant	Anupam Gupta
Represented through	Shri Shiva Kapur, Advocate
Respondent	Ireo Private Limited
Respondent Represented through	S/Shri M.K.Dang and Garvit Gupta, Advocates
Last date of hearing	First hearing
Proceeding Recorded by	Naresh Kumari

Proceedings

Project is not registered with the authority.

Since the project is not registered, as such, notice under section 59 of the Real Estate (Regulation & Development) Act, 2016, for violation of section 3(1) of the Act be issued to the respondent. Registration branch is directed to do the needful.

Arguments heard.

It has been brought on record by the counsel for the respondent that after notification of the land on 02.06.2009 under Section 4 of the Land Acquisition Act, 1894, khasra number of this land too had been notified by the Government and later on the same had been culled out of the notification by the Government vide Notification No. LAC(G)NTLA-2010/1557 dated 31.05.2010. However, the above stated notification lapsed after one year as a result of which the land became free. After that, vide order dated 01.11.2017,

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 Hon'ble Supreme Court has ordered a CBI inquiry in the matter and the matter is still under investigation of the CBI.

Counsel for the respondent has stated that respondent has applied for completion certificate, however, on account of above, no completion certificate can be issued by the competent authority.

As such, the matter is still under adjudication, no possession can be given to the complainant. However, the complainant is well within his right to seek refund.

Since the CBI Inquiry is pending in the matter and the Hon'ble Supreme Court has passed an orders dated 02.12.2019 and 20.02.2020 in Civil Appeal No.8977/2014, titled as Jai Naryana @ Jai Bhagwan and Ors. versus The State of Haryana and others, which are reproduced as under:-

"We are not happy with the way in which the CBI has investigated the matter. Let the Director CBI look into the same. We expect a fair, independent and impartial investigation to be made in the matter, which is being supervised by this court. List in the month of January 2020".

Order dated 20.02.2020:

"As prayed by the learned Additional Solicitor General of India, list on 23.03.2020".

Keeping in view the prevailing facts and circumstances of the matter, this authority has no option but to suspend the further proceedings in the matter awaiting the orders of the Apex Court.

File be consigned to the registry.

Samir Kumar
(Member)
25.02.2020

Subhash Chander Kush
(Member)