

PROCEEDINGS OF THE DAY		27
Day and Date	Thurday and 08.09.2022	
Complaint No.	CR/2030/2022 Case titled as Ramswaroop Khurana And Sunita Khurana Vs Emaar MGF Land limited	
Complainant	Ramswaroop Khurana And Sunita Khurana	
Represented through	Shri Geetansh Nagpal Advocate	
Respondent	Emaar MGF Land limited	
Respondent Represented	Shri J.K. Dang Advocate	
Last date of hearing	First hearing	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings		
The present complaint has been received on 24.05.2022 and the reply was received on 10.08.2022.		
Succinct facts of the case as per complaint and reply are as under:		
Sr. No.	Particulars	Details
1.	Name of the project	Palm Drive, Sector-66
2.	Unit no.	TPD-SA-F11-06
3.	Provisional allotment letter dated	28.12.2009 [annexure R3, page 37 of reply]
4.	Date of execution of buyer's agreement	15.07.2010 [page 38 of reply]
5.	Possession clause	14. POSSESSION

CR/2030/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

		<p>(a) Time of handing over the Possession</p> <p><i>Subject to terms of this clause and the Allottee(s) having complied with all the terms and conditions of this Agreement and not being in default under any of the provisions of this Agreement and upon complying with all provisions, formalities, documentation etc., as prescribed by the Developer, the Developer proposes to handover the possession of the Unit within 30 months from the date of allotment. The Allottee(s) agrees and understands that the Developer shall be entitled to a grace period of ninety (90) days, for applying and obtaining the occupation certificate in respect of the Complex.</i></p> <p>[Emphasis supplied]</p>
6.	Due date of possession	<p>28.06.2012</p> <p>[Note: Grace period is not included]</p>
7.	Total consideration as per payment plan at page 69 of complaint	Rs. 52,78,975/-
8.	Total amount paid by the complainant	<p>Rs. 64,72,612/-</p> <p>[page 148 of reply]</p>
9.	Agreement to sell between the complainant and the subsequent allottee	<p>25.06.2011</p> <p>[page 100-103 of reply]</p>
10.	Nomination letter w.r.t subsequent allottees	<p>02.08.2011</p> <p>[page 104-105 of reply]</p>
11.	Occupation certificate	<p>13.02.2017</p> <p>[page 35-36 of reply]</p>
12.	Offer of possession	<p>11.04.2017</p> <p>[page 106-111 of reply]</p>



HARERA
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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

13.	Unit handover letter dated	10.07.2017 [annexure R8, page 112 of reply]
14.	Conveyance deed executed on	28.07.2017 [page 118-146 of reply]

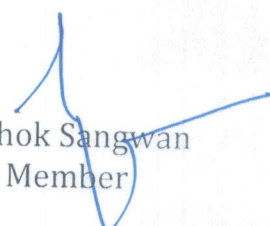
The complainants are seeking the following reliefs:

- 1. Direct the respondent to pay interest on the total amount paid by the complainants at the prescribed rate of interest.**

The conveyance deed of the unit was executed on 28.07.2017. The complaint was filed on 24.05.2022 after nearly 4 years and 10 months beyond the limitation period of 3 years. No case is made out in such a belated stage.

The matter is barred by limitation and disposed off. File be consigned to the registry.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member


Dr. KK Khandelwal
Chairman
08.09.2022