

PROCEEDINGS OF THE DAY		28
Day and Date	Thurday and 08.09.2022	
Complaint No.	CR/2031/2022 Case titled as Madan Lal Khurana and Sudha Khurana Vs Emaar MGF Land limited	
Complainant	Madan Lal Khurana and Sudha 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-A-F02-202
3.	Provisional allotment letter dated	28.12.2009 [annexure R3, page 37 of reply]
4.	Date of execution of buyer's agreement	05.02.2008 [page 38-103 of reply]
5.	Possession clause	14. POSSESSION (a) Time of handing over the Possession

		<p><i>Subject to terms of this clause and the apartment 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 compliance with all provisions, formalities, documentation etc., as prescribed by the company, the company, proposes to handover the possession of the apartment/villa/penthouse by December 2010 . The apartment Allottee(s) agrees and understands that the company, shall be entitled to a grace period of ninety (90) days, for applying and obtaining the occupation certificate in respect of the group housing Complex.</i></p> <p>[Emphasis supplied]</p>
6	Due date of possession	31.12.2010 [Note: Grace period is not included]
7	Total consideration as per payment plan as per SOA dated 24.04.2015	Rs. 2,02,92,720/-
8	Total amount paid by the complainant as per SOA dated 24.04.2015	Rs. 1,97,39,784/- [page 98 of complaint]
9	Agreement to sell between the complainant and the subsequent allottee	29.05.2015 [page 104-108 of reply]
10	Nomination letter w.r.t subsequent allottee	28.07.2015 [page 109 of reply]
11	Occupation certificate	01.04.2015 [page 36-37 of reply]
12	Offer of possession	24.04.2015 [page 110-114 of reply]
13	Unit handover letter dated	17.09.2015



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


		[annexure R7, page 115-116 of reply]
14	Conveyance deed executed on	08.01.2016 [page 117-150 of reply]

The complainants are seeking the following reliefs:

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

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