



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

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|--------------------------------|--|
| Day and Date | Monday and 20.02.2023 |
| Complaint No. | E/4216/2022/720/2019 Case titled Gurmeet Kaur Partika Garewal VS Spaze Tower Private Limited |
| Complainant | Gurmeet Kaur Partika Garewal |
| Represented through | Mr Ashish Budhiraja Adv |
| Respondent | Spaze Tower Private Limited |
| Respondent Represented through | Mr Harshit Batra Adv Ms Taniya Adv |
| Last date of hearing | |
| Proceeding Recorded by | Jyoti Malik |

Proceedings

Both of parties have filed their calculations.

Heard on objections raised by the JD. According to learned counsel for DH, JD has calculated the amount of maintenance dues. While in the absence of handing over possession, JD was not entitled to levy maintenance charges.

According to learned counsel for JD, after receipt of OC on 28.01.2020, her client offered possession on next day, but DH did not come forward to take the possession. In such a circumstance, according to learned counsel, her client was entitled to levy maintenance charges.

Although a document stated to be copy of courier agency has been put on file but noting is legible in it. Learned counsel for DH, denied the fact that his client has received any such offer of the possession. Moreover, according to him, this fact is not mentioned in the decree/order. If letter offering possession was sent by the JD, same would have been mentioned in order under execution.



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Considering the fact that JD could not prove that letter offering possession was ever delivered to DH. Same is not entitled to levy maintenance charges. Objections in this regard are dismissed.

Learned counsel for JD requests for short adjournment. Case has already been delayed. No reason for further adjournment. Request in this regard is declined. Both of parties have submitted their calculations.

✓ ~~File~~ To be put before the CA of the authority on 22.03.2023 for calculations of amount payable by JD.

~~Be put up~~ To come before this forum on 28.03.2023 for further proceedings.

(Rajender Kumar)
Adjudicating Officer
20.02.2023