



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

PROCEEDINGS OF THE DAY

47

Day and Date	Friday and 13.05.2022
Complaint no.	CR/1347/2020 Case titled as Divya Gupta Vs. Vatika Seven Elements Pvt. Ltd & Anr.
Complainant	Divya Gupta
Complainant represented through	Shri Shagun Singla, Advocate
Respondent	Vatika Seven Elements Pvt. Ltd & Anr.
Respondent represented through	Shri Mukul Sawanria, Advocate
Last date of hearing	04.03.2022 (Transferred from AO)
Proceeding recorded by	HR Mehta

Proceedings 20.9.2022 for settlement.

The file has been received on transfer from the court of adjudicating officer in view of the judgment dated 11.11.2021 passed by the Apex Court in case titled as ***M/s Newtech Promoters and Developers Pvt Ltd Versus State of U.P. and Ors.*** wherein it was held that when it comes to refund of the amount, and interest on the refund amount, or directing payment of interest for delayed delivery of possession, or penalty and interest thereon, it is the regulatory authority which has the power to examine and determine the outcome of such complaint.

The present complaint has been received on 28.08.2019 and the reply on behalf of respondent has not been received within the stipulated time period despite service of notice. Since the promoter/respondent company's advocate has marked attendance on 13.12.2019, 13.02.2020, 12.10.2020, 25.03.2021, 11.08.2021 and 23.11.2021 which is clear evidence that the service was completed. The respondents have failed to file reply to the complaint till date despite being given ample opportunities and failed to file

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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CR/1347/2020

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reply within the time allowed, therefore, the defence of the respondent is struck off.

Counsel for the respondent has stated at bar that the settlement talks are going on inter-se the parties for amicable settlement of the matter. The complainant acknowledges the same.

Keeping in view the above, both the parties are directed to place the settlement deed, if any, on record. If the settlement is not arrived between the parties, the matter be heard for on merit.

Matter to come up on 20.9.2022 for further proceedings.

V. 1-3
Vijay Kumar Goyal
Member

Dr. KK Khandelwal
Chairman
13.05.2022