

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

| PROCEEDINGS OF THE DAY | | 5 |
|-------------------------------|---|----------|
| Day and Date | Friday and 18.11.2022 | |
| Complaint No. | CR/112/2020 Case titled as MOHAN LAL Vs BECON BUILDMART PVT LTD | |
| Complainant | MOHAN LAL | |
| Represented through | None | |
| Respondent | BECON BUILDMART PVT LTD | |
| Respondent Represented | Shri Udaibir Singh Advocate | |
| Last date of hearing | 22.09.2022 | |
| Proceeding Recorded by | Naresh Kumari and HR Mehta | |

Proceedings

The present complaint has been received on 24.01.2020 and the reply was received on 15.06.2021

File has been received on transfer from Adjudicating Officer in view of the judgment dated 11.11.2021 passed by the Apex Court in the case bearing no. **SLP(Civil) No(s). 3711-3715 OF 2021** titled as **M/s Newtech Promoters and Developers Pvt Ltd Versus State of U.P. and Ors.**, and wherein it was held that as matters regarding refund and interest under section 18(1) are to be decided by the authority and matters regarding adjudging compensation to be decided by the Adjudicating officer.

Succinct facts of the case as per complaint and reply are as under:

| Sr. No. | Particulars | Details |
|----------------|---------------------|--|
| 1. | Name of the project | "BECON ARCADE ", Sector 109, Dwarka expressway ,Gurugram, Haryana. |
| 2. | Project type | Commercial complex |



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM


हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

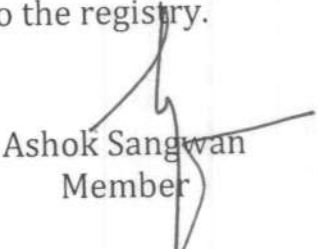
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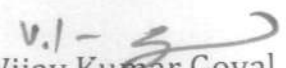
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|-----|--------------------------------------|---|
| 3. | Unit no. | shop no. 27 |
| 4. | Unit admeasuring | 625 sq. ft. |
| 5. | Buyer's agreement | Not placed on file |
| 6. | Possession clause | cannot be determined |
| 7. | Due date of delivery of possession | cannot be ascertained |
| 8. | application form | 02.08.2012 |
| 9. | Total sale consideration | Rs. 78,46,468/- (As per information given by the complainant.) |
| 10. | Total amount paid by the complainant | Rs. 16,00,000/- (As per information by the complainant.) |
| 11. | Occupation certificate | No information provided |
| 12. | Offer of possession | Not offered |

The counsel for the respondent states at bar that the amount of Rs.6 Lakhs was received from the allottee complainant and the same has been refunded to the complainant-allottee on 24.01.2020 and no more amount remains with the respondent which is to be refunded. None is present on behalf of the complainant. The requisite document pertains to refund has already been filed by the respondent with the reply filed on 15.06.2021. Therefore, the case is disposed off as the amount has already been refunded to the complainant. File be consigned to the registry.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member


Vijay Kumar Goyal
Member
18.11.2022

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 संख्याक 16