

PROCEEDINGS OF THE DAY		7
Day and Date	Wednesday and 22.03.2023	
Complaint No.	CR/3073/2020 Case titled as SUDHAKAR AGARWAL Vs SEPSET PROPERTIES PRIVATE LIMITED	
Complainant	SUDHAKAR AGARWAL	
Represented through	Ms. R. Gayatri Mansa Advocate	
Respondent	SEPSET PROPERTIES PRIVATE LIMITED	
Respondent Represented	Shri Akshay Sharma Advocate	
Last date of hearing	14.02.2023	
Proceeding Recorded by	Naresh Kumari	

Proceedings

The present complaint has been received on 28.08.2019 and the reply on behalf of respondent was received on 15.01.2021.

The counsel for the complainant states that the subject unit was allotted on 10.01.2013 and total amount of Rs.1,18,45,854 /- has been paid against a total sale consideration of Rs.1,07,60,800/-. The due date for offer of possession was 10.09.2017 and offer of possession was made on 24.01.2019 on misrepresentation of facts. The complainant had written to the respondent on 22.05.2019 objecting to the conditions under which the offer of possession had been made pointing out a number of deficiencies (no fresh water supply and power supply) and had stated that possession will be taken only after the same were rectified. It is further stated that the PLC attributes promised at the time of allotment are also missing from the site. Subsequently, the complainant withdrew from the project on 25.07.2019. Therefore, the complainant is requesting for full refund alongwith interest at the prescribed rate.

The counsel for the respondent states that this authority had appointed local commissioner in other matters pertaining to the same project and the same have been brought on record proof, a separate application had been filed on 23.07.2021. As per the report dated 20.08.2019 in CR No. 1439 of 2019, it



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CR/3073/2020

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

has been reported that water and power supply as well as STP are functional. The project is in habitable form and many allottees are residing in the same. The complainants have desired to withdraw from the project after offer of possession and in these circumstances, they are liable to be refunded the paid amount after deductions in terms of BBA dated 30.12.2014. The counsel for the respondent cites order dated 15.02.2023 in CR No.587 of 2019.

Arguments heard.

The parties may file written submissions within a period of one week in case they wish to do so.

Order reserved.

Matter to come up on **24.05.2023** for pronouncement of order.


Ashok Sangwan
Member
22.03.2023