

PROCEEDINGS OF THE DAY		56
Day and Date	Tuesday and 31.10.2023	
Complaint No.	CR/2770/2021 Case titled as Col. Kanwar Ripu Sain Jaiswal and Mahak Jaswal V/S Emaar India Limited	
Complainant	Col. Kanwar Ripu Sain Jaiswal and Mahak Jaswal	
Represented through	Shri K.K. Kohli Advocate	
Respondent	Emaar India Limited	
Respondent Represented	Shri Ishaan Dang Advocate	
Last date of hearing	29.8.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 14.07.2021 and the reply on behalf of respondent was filed on 27.08.2021.

The counsel for the complainant is seeking delayed possession charges on account of the delay by the respondent in handing over of possession of the apartment to the complainant in terms of the agreement dated 27.1.2010 as per which the due date of handing over of possession was 27.1.2013 without grace period of 3 months. The counsel for the complainant states that the right of the complainant to obtain DPC is a statutory one and can not be extinguished by execution of conveyance deed. He further relies upon the judgement of Hon'ble Supreme Court of India in "Wing Commandar Arifur Rehman Khan and others Versus DLF Southern Home Pvt. Ltd. Regarding HVAT charges, counsel for the complainant relies upon the orders passed by this authority in case titled Varun Gupta and others V/s Emaar MGF Ltd.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM


हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
CR/2770/2023

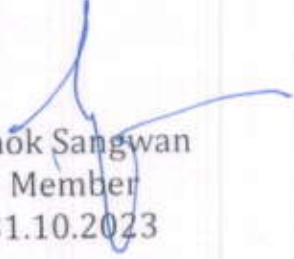
New PWD Rest House, Civil Lines, Gurugram, Haryana

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

Part arguments heard.

Matter to come up on 9.1.2024 before full bench for further proceedings.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member
31.10.2023