

PROCEEDINGS OF THE DAY		7
Day and Date	Tuesday and 12.12.2023	
Complaint No.	MA NO. 367/2023 in CR/4461/2020 Case titled as Shikha Sharma VS Ts Realtech Private Limited	
Complainant	Shikha Sharma	
Represented through	Shri Adesh Panjabi proxy counsel	
Respondent	Ts Realtech Private Limited	
Respondent Represented	None	
Last date of hearing	Application for modification	
Proceeding Recorded by	Naresh Kumari	

Proceedings-cum-order

The applicant-complainant has moved an application dated 15.09.2023 requesting for modifying the order dated 28.07.2021 by directing the respondent to handover the physical vacant possession of the subject unit within 2 months. The applicant-complainant stated that the complainant has filed execution petition before adjudicating officer and requesting for possession of the property in question but since there is no order directing possession of the property to be delivered to the complainant or any timeline which has been set by the authority for delivering the possession of the property in question, the respondent has free hand to charge interest on the pending amount although the complainant is willing and ready to get the possession.

The above-mentioned matter was heard and disposed off vide order dated 28.07.2021, wherein the Authority had directed the respondent to pay the interest at the prescribed rate that is 9.30% per annum for every month of delay on the amount paid by the complainant from due of possession i.e. 10.03.2017 till 12.06.2019 and hence, there are directions for handing over of the possession.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

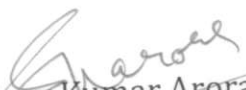
MANO-26/2023/CR/46/2020

New PWD Rest House, Civil Lines, Gurugram, Haryana


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

Therefore, it is hereby clarified that besides payment of delayed possession interest in terms of the above order, the respondent is required to hand over the possession of the unit after obtaining of occupation certificate/CC/part CC from the competent authority in terms of statutory obligation under section 11 (4) (b) and Section 17 (1) of the Act, 2016. The complainant allottee is also obligated to take the possession within 2 months as per Section 19 (10) of the Act, 2016. This order be read with and in continuation of order dated 28.07.2021 passed by the authority.

Application stands disposed off. File be consigned to the registry.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member


Vijay Kumar Goyal
Member
12.12.2023