



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

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Day and Date	Wednesday and 31.01.2024
Complaint No.	CR/7517/2022 Case titled as Gurmeet Singh VS Ramprastha Developers Private Limited
Complainant	Gurmeet Singh
Represented through	Shri Yogesh Kumar Advocate
Respondent	Ramprastha Developers Private Limited
Respondent Represented	None
Last date of hearing	25.10.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings-cum-order

Order pronounced.

The present complaint was filed on 01.12.2023 and reply on behalf of the respondent was received on 25.07.2023.

The complainant has stated that the matter was earlier settled between the parties vide settlement agreement dated 05.01.2021 and an order had been passed on 29.01.2021 in CR No.3342/2020, wherein the complaint was ordered to be disposed as per terms and conditions mentioned in the settlement agreement. However, the respondent has failed to adhere to the conditions of the settlement agreement specifically in para no. 2C wherein it was agreed that the offer of possession of the plot shall be made by June 2022.

As per record, the complainant has settled all his claims in terms of the settlement agreement dated 05.01.2021 filed before the Authority in CR. Nos. 3355/2020, 3355/2020, 3345/2020 and 3342/2020 vide which the respondent has paid a sum of Rs.7 Lakhs per plot to the complainant as compensation for delay in handing over possession till the period of 31.12.2020. The respondent has further agreed to pay the delay possession charges w.e.f. 01.01.2021 till the date of offer of possession of the plots, as per the clause of buyer's agreement at the time of offer of possession, which was agreed to be offered by June, 2022. Accordingly, the above-mentioned complaint was disposed of by the Authority vide order dated 29.01.2021 as terms and conditions mentioned in the settlement agreement. It was further stated that



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

report of the mediation forum, statement on oath recorded by both the parties before the mediation forum and settlement agreement and all other relevant documents shall form a part of the record and be consigned to the registry alongwith case file.

The matter has already been disposed of by the Authority in terms of settlement agreement filed before it as well as statement recorded to that effect by the parties. Therefore, if any party fails to abide by the terms and conditions mentioned therein, then the same shall be enforced by the executing court as provided under Section 40 of the Act of 2016 read with rule 27 of the Haryana Real Estate (Regulation and Development) Rules, 2017, in such manner as may be prescribed.

Thus, in view of the above, the present complaint stands dismissed being not maintainable. The parties are free to approach the executing authority if they so desire. File be consigned to the registry.

Ashok Sangwan
Member
31.01.2024