



HARERA
GURUGRAM

**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

Day and Date	Tuesday and 7.8.2018
Complaint No.	422/2018 Case titled as Mr. Shobhit Mehrotra and others Versus M/s ILD Millennium Pvt. Ltd and others.
Complainant	Mr. Shobhit Mehrotra and others
Represented through	All the four complainant in person with Shri Abhay Kumar Jain Advocate.
Respondent	M/s ILD Millennium Pvt. Ltd and others
Respondent Represented through	Shri Shrikant Advocate for the respondent.
Last date of hearing	First hearing

Proceedings

The complainants made joint statement that they are not appearing before the authority for compensation but for fulfilment of the obligations by the promoter as per the Real Estate (Regulation & Development) Act, 2016.

The project is not registered.

It was brought to the notice of the authority that the Project is registerable but so far it has not been registered which is violation of Section 3 (1) of the Real Estate (Regulation & Development) Act 2016. The learned counsel for the respondent asked to advise the respondent to do needful at the earliest and this be treated as the notice as to why penal proceedings shall not be initiated against the respondent under section 59 for violation of Section 3 (1) of the Act ibid, the penalty amount may extend upto 10% of the estimated costs of the Project.

Shri Shrikant Advocate has appeared on behalf of the respondent and filed memo of appearance. The learned counsel for the respondent has stated



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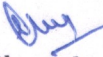
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that they have received the Occupation Certificate and they have offered possession to the complainant in December 2017. Counsel for the respondent has raised an objection that the complainants are not the Association and they have filed joint complaint whereas the counsel of the complainant stated that as per Section 2 (zg) of the RERA Act, the complainants may file the joint complaint. The authority did not agree with the contention of the counsel of the complainant and took the decision that the complainants do not come within the definition of said Section. As such, they may be directed to file separate complaints. Since the complaint cannot be filed in combined, as such the complainants are directed to file separate complaints. This complaint is disposed of being not tenable. File be consigned to the Registry.


Samir Kumar
(Member)


Dr. K.K. Khandelwal
(Chairman)
7.8.2018


Subhash Chander Kush
(Member)