



**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

| <b>PROCEEDINGS OF THE DAY</b>  |   | <b>18</b> |
|--|---|-----------|
| Day and Date   | Wednesday and 07.08.2024  |           |
| Complaint No.  | CR/588/2024 Case titled as Harish Jaggi and Anjali Jaggi VS Puri Construction Private Limited |           |
| Complainant  | Harish Jaggi and Anjali Jaggi   |           |
| Represented through  | Shri Sanjeev Kumar Sharma Advocate  |           |
| Respondent   | Puri Construction Private Limited   |           |
| Respondent Represented   | Ms. Smriti AR of the company  |           |
| Last date of hearing   | 24.07.2024  |           |
| Proceeding Recorded by   | Naresh Kumari and HR Mehta  |           |
| <b>Proceedings-cum-order</b>   |   |           |
| <p>The present complaint was filed on 29.02.2024 and reply on behalf of the respondent was received on 09.04.2024.</p> <p>The complainants have submitted that previously they have filed a complaint bearing no. 2167 of 2021, before this Authority seeking delay possession charges and the same was decided by this Authority vide order dated 17.05.2022, wherein, the respondent was directed to pay delay possession charges from the due date of possession i.e., 10.11.2015 till offer of possession plus 2 months i.e., 16.03.2017. The respondent, feeling aggrieved with the same preferred an appeal bearing no. 495 of 2022, before the Hon'ble Appellate Tribunal but the same was disposed of vide order dated 08.08.2023 on the ground of settlement arrived between both the parties. The amount of settlement has been received by the complainants. However, now after repeated requests and mails, the respondent is not coming forward to execute the conveyance deed in their favour as revenge to settle the scores with them. Therefore, the complainants have filed the present complaint seeking direction to the respondent to get the conveyance deed executed in their favour.</p> |   |           |



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The respondent has submitted that vide order dated 08.08.2023 passed by the Hon'ble Appellate Tribunal, Chandigarh only issue related to delay possession charges was settled between the parties and the complainants are liable to pay stamp duty, registration charges and the balance sale consideration amounting to Rs.98,866/- alongwith applicable rate of interest for execution of conveyance deed in their favour.

After considering the documents available on record as well as submissions made by the parties, it is determined that after passing of order dated 17.05.2022 in the main complaint bearing no. 2167 of 2021, an appeal bearing no. 495 of 2022 was preferred by the respondent against the said order before the Hon'ble Appellate Tribunal, wherein on 08.08.2023, both the parties have entered into a settlement and it was amicably agreed between both the parties that "a lump sum of Rs.15 lac to be paid to the allottees for settlement of all issues." Relevant portion of the order dated 08.08.2023 is reproduced as under for ready reference:

*"3. A query has, however, been put to them whether they are ready to settle the matter amicably. Both the parties acted fairly and agreed that a lump sum amount of Rs.15 Lac be paid to the allottees for settlement of all issues.*

*4. Counsel for both the parties have made their respective statements, which were taken on record as Mark 'A' and Mark 'B'.*

*5. In view of above, appeal is hereby disposed of."*

After careful perusal of the above, it is considered that all the transactions between the parties against the unit in question come to an end after payment of Rs.15 Lac to the complainants. Therefore, after amicable settlement of all the issues between the parties before the Hon'ble Appellate Tribunal on 08.08.2023, any further demand w.r.t payment of balance sale consideration cannot be held valid and is hereby set aside. However, the respondent can demand applicable charges i.e., stamp duty and registration charges from the complainants for execution of conveyance deed in their favour.



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In view of the above, the respondent is directed to get the conveyance deed executed in favour of the complainants in terms of section 17 (1) of the Act of 2016 on payment of stamp duty and registration charges as applicable, within a period of 30 days.

Matter stands disposed of. File be consigned to registry.

Ashok Sangwan  
Member  
07.08.2024