

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	Friday and 26.07.2024
Complaint No.	E/1243/2024/6487/2022 Case titled Vikas Kapoor VS Ramaprastha Promoters and Developers Private Limited
Complainant	Vikas Kapoor
Represented through	Counsel for DH
Respondent	Ramaprastha Promoters and Developers Private Limited
Respondent Represented through	None
Last date of hearing	
Proceeding Recorded by	Ramesh

#### Proceedings

Certain objections have been filed on behalf of JD, but none is appearing on behalf of same.

JD in its objections has averred that the AO has no jurisdiction to entertain present execution petition.

The authority through letter/order/circular no. 9/1-2022 HARERA/GGM/(Admin) date 16.03.2022, had delegated its powers to execute orders passed by same (authority upon the AO) and that order has already been upheld by the Hon'ble High Court of Punjab and Haryana. Considering same, no weight in this objection of JD.

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**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

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The JD has objected the jurisdiction of authority also to entertain the complaint, in which order under execution was passed. Trite it to say that through complaint in hands the allottee sought decree for possession and also DPC.

All this is within the jurisdiction of authority, No merit in this objection also. No other objection has been raised by the JD. All objections filed by same are thus dismissed.

As per report/calculation done by accounts officer, a sum of Rs. 62,13,265/- was payable by JD as on 25.07.2024.

Learned counsel for DH requests for direction to JD to disclose its assets/properties which can be attached to realise said amount. Request is allowed. JD be directed to disclose its assets/properties including bank account which can be attached to release decretal amount, till next date. Information be given in the form of affidavit to be sworn by anyone from directors of JD.

At the same time, Sh. Ramcharan Sharma, Recovery Officer of the authority be asked to enquire about the properties of JD including bank account and to file report till next date.

Apart from directing JD to pay interest at the prescribed rate of 10.75% per annum for every month of delay from due date of possession i.e. 22.01.2018, till offer of the possession plus two months. Same (authority) asked the respondent to hand over physical possession of subject plot. According to learned counsel for DH, possession of subject plot has not been

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AD

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016  
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अर्हत गठित प्राधिकरण  
भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



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handed over till now. He has filed written application with a prayer to commit directors of JD to civil prison for not handing over possession of subject plot.

Issue show cause notice to directors of JD as why same be not committed to civil prison, for not handing over possession of subject unit to allottee-DH. Reply be filed till next date.

To come on 24.10.2024 for further proceedings.

(Rajender Kumar)  
Adjudicating Officer  
26.07.2024

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