PROCEEDINGS OF THE DAY		20
Day and Date	Friday and 18.10.2024	
Complaint No.	CR/1591/2022 Case titled as Kamlesh Jain and Manish Jain VS Classic Infra Solutions Private Limited	
Complainant	Kamlesh Jain and Manish Jain	
Represented through	Shri Pawas Agarwal Advocate	
Respondent	Classic Infra Solutions Private Limited	
Respondent Represented through	Ms. Priyanka Agarwal Advocate	
Last date of hearing	02.08.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 12.04.2022 and reply has been filed on 27.01.2023. The counsel for the complainants have filed rejoinder on 01.09.2023.

S. No.	Heads	Information
1.	Name and location of the project	**"Paras Irene", Sector-70A, Gurugram, Haryana**
2.	Nature of the project	Commercial Project
3.	DTCP license no. and validity status	16 of 2009 dated 01.06.2009 valid up to 28.05.2024
4.	RERA registered/ not registered and validity status	**Not registered**
5.	Unit no.	01, 12th A floor, N-03 - Tower (Page no. 26 of the complaint)

		01.12.2015, 19.02.2016, 08.04.2016, 20.05.2016, (As per page70-79 of reply)
16.	Pre cancellation letter	31.08.2015 (Page 105 of reply)
17.	Cancellation Letter	03.08.2016 (Page 75 of complaint) – on account of non-payment

On the last date of hearing, the respondent had undertaken to supply certain details regarding the payment of Rs.40 Lakhs through cheque which was dishonoured and correspondence w.r.t the submission of the same. No such document has been filed till date.

The cancellation of the unit on 03.08.2016 cannot be challenged at this belated stage and the same would be barred by limitation. However, the respondent has not refunded any amount of the complainant after cancellation of the unit.

Arguments heard.

The respondent is directed to refund the amount deposited by the complainant after deduction of 10% amount of sale consideration alongwith interest at the prescribed rate of interest i.e. 11.10% per annum from the date of cancellation of the unit i.e. 03.08.2016 till its realization.

Order pronounced.

Detailed order will follow. Matter stands disposed off.

Ashok Sangwan
Member
18.10.2024