PROCEEDINGS OF THE DAY	43
Day and Date	Tuesday and 01.10.2024
Complaint No.	MA NO. 581/2024 in CR/7371/2022 Case titled as Ira Sharma VS Ocean Seven Buildtech Private Limited
Complainant	Ira Sharma
Represented through	Shri Manish Sharma - husband of the complainant in person
Respondent	Ocean Seven Buildtech Private Limited
Respondent Represented	None
Last date of hearing	Early hearing application
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 14.12.2022 and the reply on behalf of respondent was received on 20.12.2023.

Succinct facts of the case as per pleadings and annexures are as under:

S. N.	Particulars	Details
1.	Name of the project	The Venetian, Sector- 70, Gurugram, Haryana
2.	Project area	5.10 acres
3.	Nature of the project	Affordable group housing colony
4.	DTCP license no. and validity status	**103 of 2019 dated 05.09.2019 Valid up to 04.09.2024**
5.	Name of licensee	Shree Ratan Lal and others
6.	Building plan approval dated	07.02.2020 (As per DTCP website)
7.	Environment clearance dated	Not obtained till date
8.	RERA Registered/ not registered	**Registered vide no. 39 of 2020 dated 27.10.2020 Valid upto 02.09.02024**

7.	Allotment letter	09.03.2021 [Page 12 of complaint]
8.	Builder buyer agreement	Not placed on record
9.	Flat no.	1006, 10th floor, tower 1 [Page 12 of complaint]
10.	Unit admeasuring	571.105 sq. ft. (carpet area) (Page 12 of the complaint)
11.	Possession clause as per Affordable housing policy, 2013	***1(IV) of the Affordable Housing Policy, 2013*** *All such projects shall be required to be necessarily completed within 4 years from the approval of building plans or grant of environmental clearance, whichever is later. This date shall be referred to as the "date of commencement of project" for the purpose of this policy. The licenses shall not be renewed beyond the said 4 years period from the date of commencement of project.*
12.	Due date of possession	Cannot be ascertained
13.	Total sale price of the flat	Rs.23,33,420/- [As alleged by complainant at page 7 of complaint]
14.	Amount paid by the complainant	Rs.8,83,785/- [As alleged by complainant at page 7 of complaint]
15.	Surrender request by the complainant	05.07.2022 [page 17 of complaint]

The husband of the complainant present in person states that the respondent has failed to start the construction in the absence of EC and hence he is seeking refund of the deposited amount.

None appeared on behalf of the respondent.

Arguments heard.

In view of the above, the respondent is directed to refund the deposited amount to the complainant alongwith prescribed rate of interest i.e. 11.10% per annum from the date of each payment till its realization as per clause 5(iii)(b) of the Affordable Housing Policy, 2013.

Matter stands disposed off. Detailed orders will follow.

Vijay Kumar Goyal
Member

Arun Kumar
Chairman
01.10.2024