



**HARERA**  
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**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
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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>39-42</b>
Day and Date	Tuesday and 17.09.2024	
Complaint No.	MA No. 526/2024 CR/1769/2023 Case titled as Gourav Maggu Vs Signature Global India Private Limited.	
	MA No. 527/2024 CR/1749/2023 Case titled as Gurvinder Singh Vs Signature Global India Private Limited	
	MA No. 528/2024 CR/1715/2023 Case titled as Neha Yadav Vs Signature Global India Private Limited	
	MA No. 525/2024 CR/1704/2023 Case titled as Ankit Vij Vs Signature Global India Private Limited	
Complainants	Gourav Maggu, Gurvinder Singh, Gurvinder Singh and Ankit Vij	
Represented through	Shri Akash Godhvani Advocate	
Respondent	Signature Global India Private Limited	
Respondent Represented	Shri Mintu AR of the company	
Last date of hearing	--	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### **Proceedings-cum-orders**

The respondent- builder filed an application dated 09.08.2024 under sections 39 and 44 (2) of the Real Estate (Regulation and Development) Act, 2016 read with Regulation No.21 of the Haryana Real Estate Regulatory Authority, Gurugram, (ADJUDICATION OF COMPLAINTS) Regulations, 2018, Regulation No.16 of the Haryana Real Estate Regulatory Authority, Gurugram, (GENERAL) Regulations, 2018, Section 151 OF CIVIL PROCEDURE CODE, 1908 for clarification/rectification of the judgment dated 02.01.2024 and supply of the true/certified copy thereof.

The respondent-builder states that total cost of the flat was Rs. 22,49,267/- as categorically noted on the running page 9 (Para 4.1) of BBA as per copy supplied to Applicant, which is mentioned in the judgment by the Authority.



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MANO-526/2024 INCN/169/2023

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At the same time, the respondent was also liable to pay the tax/cess etc as applicable. However, the terms "amount paid" used in para 38(i) of the Judgment does not clarify the meaning thereof i.e. whether said terms "amount paid" (basis of instructed DPC calculation) is excluding of amount paid by the Respondent against the tax/cess etc.

It further states that the authority has given two months' time after offer of possession at the cost of the respondent. Even if the Respondent is given two months' time to pay the amount demanded in terms agreed in BBA, the Applicant should not be burdened with DPC obligations without any fault. Therefore, the respondent-applicant requests to rectify the orders by deleting the amount paid towards taxes/cell as well no DPC for two months after offer of possession is made.

Further requests to direct the concern official to provide us copy of the judgment in terms of regulation No.21 of the Haryana Real Estate Regulatory Authority, Gurugram, (Adjudication of Complaints) Regulations, 2018 and regulation No.16 read with section 44 (2) of the Real Estate (Regulation and Development) Act, 2016 thereby enabling to file an appeal.

After going through the averments of the case, the authority is of the view that there is no error apparent in the main orders passed by this authority and the Authority can rectify only an error occurred in the main orders within a period of two years. There is no provision to clarify the points as mentioned in the application under the Act, 2016 and the application is beyond the scope of section 39 of the Act, 2016. Further the copies of all orders are available on official website of the Authority and the respondent shall take these orders from the official website or to apply for certified copies of the orders while submitting application in the registry with requisite fee.

In view of the above, the application filed by the respondent is hereby dismissed being not maintainable. File be consigned to the registry.

Ashok Sangwan  
Member

Vijay Kumar Goyal  
Member  
17.9.2024



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<b>PROCEEDINGS OF THE DAY</b>		<b>45-48</b>
Day and Date	Tuesday and 17.09.2024	
Complaint No.	CR/454/2019 Case titled as B K SUDARSHAN THROUGH GPA HOLDER PANDIT R C JHA VS H S REALTY PVT LTD CR/455/2019 Case titled as B K SUDARSHAN THROUGH GPA HOLDER PANDIT R C JHA VS H S REALTY PVT LTD CR/456/2019 Case titled as B K SUDARSHAN THROUGH GPA HOLDER PANDIT R C JHA VS H S REALTY PVT LTD CR/457/2019 Case titled as B K SUDARSHAN THROUGH GPA HOLDER PANDIT R C JHA VS H S REALTY PVT LTD	
Complainant	B K SUDARSHAN THROUGH GPA HOLDER PANDIT R C JHA	
Represented through	Shri Sudhanshu Dalal proxy counsel	
Respondent	H S REALTY PVT LTD	
Respondent Represented through	Shri Akhil Mangla proxy counsel	
Last date of hearing	02.07.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### **Proceedings**

The present complaint has been received on 29.11.2019. the reply on behalf of respondent has not been received within the stipulated time period despite service of notice. Therefore, in view of order dated 21.11.2023, the defence of the respondent was struck off.

The present complaint is filed by the B K Sudarshan through GPA HOLDER Pandit R C Jha. In the present case, the complainant has already issued a special power of attorney dated 11.02.2014 in favour of Sh. Pandit R C Jha



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<b>PROCEEDINGS OF THE DAY</b>		<b>63</b>
Day and Date	Tuesday and 17.09.2024	
Complaint No.	CR/7717/2022 Case titled as Sushma Jain VS BPTP Limited	
Complainant	Sushma Jain	
Represented through	Shri Abhay Jain Advocate	
Respondent	BPTP Limited	
Respondent Represented	Shri Harshit Batra Advocate	
Last date of hearing	02.08.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### **Proceedings**

The counsel for the complainant states that the respondent issued an allotment letter dated 9<sup>th</sup> September, 2008 for allotment of flat no. J-502 in Tower J to the complainant in the project 'Park Serene'. The respondent kept raising demands but no construction of his tower was visible at project site. The complainant being aggrieved by the actions of the respondent, issued a legal notice dated 8<sup>th</sup> November, 2011 to the respondent through his advocate for delivery of possession of the allotted flat at the earliest as he needed the flat for residence purpose. The complainant paid Rs. 4,00,000/- against the sale consideration of Rs. 41,92,860/-.

During 2012 when the prices of the flats had started increasing, the respondent cancelled the allotment of the complainant vide Letter dated 27<sup>th</sup> April, 2012 on illegal and bogus grounds with malafide intentions to earn more money by reselling the flat of the complainant. On cancelling the flat of the complainant, the respondent refunded the booking amount of Rs.4,00,000/- by issuing a fresh cheque, no. 848497 dated 18<sup>th</sup> April, 2012 of Punjab National Bank in the name of the complainant and returned the uncashed cheque of Rs.12,00,000/- having cheque no. 023971 dated 18<sup>th</sup> January, 2012 of ICICI Bank, to the complainant along with the cancellation letter. The complainant objected the illegal cancellation and returned both the cheques, cheque no. 848497 dated 18<sup>th</sup> April, 2012 of Rs.4,00,000/- and



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**PROCEEDINGS OF THE DAY**

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Day and Date	Tuesday and 17.09.2024
Complaint No.	CR/266/2023 Case titled as Hoshiyar Singh VS Ramaprastha Promoters And Developers Private Limited
Complainant	Hoshiyar Singh
Represented through	Shri Sushil Yadav, Advocate
Respondent	Ramaprastha Promoters And Developers Private Limited
Respondent Represented through	Shri Navneet Kumar, Advocate
Last date of hearing	26.07.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

**Proceedings**

The counsel for the complainant states that they have filed the complaint for seeking delayed possession charges for the plots the complainant was allotted against the land given by the complainant to the respondent against the collaboration agreement dated 14.11.2008.

That as per the **Development/Collaboration Agreement** under Owner Allocation .The Owner shall be entitled to get 1250 Sqyds of plot per acre Which comes out to be 750 Sqyds developed area against owners land. As per Clause 14 of the **Development/Collaboration Agreement** it is agreed between the parties that in lieu of the owner /complainant providing his land free of cost to the developer,the developer shall deliver the possession of the plot within 30 from the date of execution of this agreement so accordingly the possession was to be handed over by **01.03.2019**.

Thereafter, the respondent issued allotment letter dated 18.08.2016 and allotted a residential plot no. a -209 admeasuring 250 sqyds in aforesaid project of the respondents. Plot Buyers Agreement was executed on dated **02.09.2016** and as per BBA the respondents had allotted a plot bearing No.A-209 having area of **250 Sq.yd.** to the complainant.



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CR/266/2023

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

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नया पी. डब्ल्यू. डी. विभ्रम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

The coram is not complete today and hence, the matter is adjourned to 19.11.2024 before the full bench for further proceedings.

Ashok Sangwan  
Member

Vijay Kumar Goyal  
Member  
17.9.2024



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<b>PROCEEDINGS OF THE DAY</b>		<b>104</b>
Day and Date	Tuesday and 17.09.2024	
Complaint No.	CR/249/2023 Case titled as Hoshiyar Singh VS Ramaprastha Promoters And Developers Private Limited	
Complainant	Hoshiyar Singh	
Represented through	Shri Sushil Yadav, Advocate	
Respondent	Ramaprastha Promoters And Developers Private Limited	
Respondent Represented through	Shri Navneet Kumar, Advocate	
Last date of hearing	26.07.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### **Proceedings**

The counsel for the complainant states that they have filed the complaint for seeking delayed possession charges for the plots the complainant was allotted against the land given by the complainant to the respondent against the collaboration agreement dated 14.11.2008.

That as per the **Development/Collaboration Agreement** under Owner Allocation .The Owner shall be entitled to get 1250 Sqyds of plot per acre Which comes out to be 750 Sqyds developed area against owners land. As per Clause 14 of the **Development/Collaboration Agreement** it is agreed between the parties that in lieu of the owner /complainant providing his land free of cost to the developer, the developer shall deliver the possession of the plot within 30 from the date of execution of this agreement so accordingly the possession was to be handed over by **22.01.2017**.

Thereafter, the respondent issued allotment letter dated 06.01.2014 and allotted a residential plot no. a -264 admeasuring 500 sqyds in aforesaid project of the respondents. Plot Buyers Agreement was executed on dated **23.07.2014** and as per BBA the respondents had allotted a plot bearing No.A-264 having area of **500 Sq.yd.** to the complainant.



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The coram is not complete today and hence, the matter is adjourned to 19.11.2024 before the full bench for further proceedings.

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Member

Vijay Kumar Goyal  
Member  
17.9.2024