

PROCEEDINGS OF THE DAY		25
Day and Date	Tuesday and 17.12.2024	
Complaint No.	MA NO. 574/2024 in CR/4266/2021 Case titled as Mrs. Mahua Das VS GLS Infratech Private Limited	
Complainant	Mrs. Mahua Das	
Represented through	Shri Gaurav Rawat Advocate	
Respondent	GLS Infratech Private Limited	
Respondent Represented	Shri Harshit Batra Advocate	
Last date of hearing	15.10.2024/ appl. u/s 67 of the Act	
Proceeding Recorded by	Naresh Kumari	
Proceedings-cum-order		
<p>The respondent builder filed an application under Section 67 of the REAL ESTATE (REGULATION AND DEVELOPMENT) ACT, 2016 seeking direction to the complainant to comply with order dated 08.12.2023 or to allow the respondent to cancel the allotment of the unit in question.</p> <p>The resent matter was disposed off vide order dated 08.12.2023, and passed the following directions:</p> <p>G. Directions of the Authority:</p> <p>17. Hence, the authority hereby passes this order and issues the following directions under section 37 of the act to ensure compliance of obligations cast upon the promoter as per the function entrusted to the authority under section 34(f):</p> <p>a. The promoter shall not charge anything which is not part of the buyer's agreement. the respondent is not entitled to claim holding charges, from the complainant/allottee at any point of time even after being part of the buyer's agreement as per law settled by Hon'ble Supreme Court in civil appeal nos. 3864-3889/2020 decided on 14.12.2020</p>		



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MA No. 574/2024 In CA/4266/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

b. The respondent is directed to re-instate the unit of the complainant, within 30 days from the date of this order. The complainant is also directed to pay the outstanding dues as per the policy, 2013.

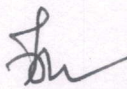
Thereafter, the complainant filed Execution Petition No. 553 of 2024. The respondent had filed appeal bearing no. 82 of 2024 impugning order dated 08.12.2023 however, due to the pendency of the execution petition, without prejudice to the rights of the respondent and being a customer oriented company to end litigation, in compliance with the said order dated 08.12.2023, the respondent herein sent a restoration letter dated 11.06.2024 and 13.06.2024 to the complainant, reinstating the allotment of the unit bearing No. D-905, 9th Floor in Avenue 81 situated at revenue estate of Nawada Fatehpur, Sector 81, Gurugram, Haryana.

Vide the said restoration letters dated 11.06.2024 and 13.06.2024 the respondent requested the complainant to make payment of the outstanding dues as per the fresh statement of account annexed with the said letters, as directed by the Authority. Despite repeated requests and reminders the complainant has failed to come forward to make payment of the outstanding dues.

The counsel for the complainant states that the respondent has already filed an Appeal in the matter vide appeal No.82/2024 and further, execution also stands filed.

As the final order in the matter has already been passed by this Authority on 08.12.2023, no further proceeding lie in the matter. The application under section 67 of the Act, 2016 is dismissed. File be consigned to the registry.

Ashok Sangwan
Member


Arun Kumar
Chairman
17.12.2024