



Complaint No:-654,655/2019

## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

### 1. COMPLAINT NO. 654 OF 2019

Phool Pati

....COMPLAINANT(S)

VERSUS

M/s Suncity Projects Pvt Ltd

....RESPONDENT(S)

### 2. COMPLAINT NO. 655 OF 2019

Ompati

....COMPLAINANT(S)

VERSUS

M/s Suncity Projects Pvt Ltd

....RESPONDENT(S)

**CORAM: Rajan Gupta  
Anil Kumar Panwar  
Dilbag Singh Sihag**

**Chairman  
Member  
Member**

**Date of Hearing: 23.10.2019**

**Hearing: 6<sup>th</sup>**

**Present: - Mr. Rajbir Phogat, Complainant in person.**

Mr. Kamal Dahiya, Counsel for respondent.

**ORDER (ANIL KUMAR PANWAR-MEMBER)**

1. The complainants in the above captioned cases had booked residential flats in respondent's project named "Suncity Heights" situated in Sector-36A, Rohtak. Their grievance is that the agreed period for delivery of possession, as mentioned in the sale purchase agreement entered between the parties, had already lapsed on 08.10.2017 but the respondent has not yet delivered them possession. So, they have prayed for delivery of possession alongwith interest payable on the already paid amount for delay occurring in handing over possession.

2. The respondent's plea is that occupation certificate for the project was granted on 09.07.2018 and he had offered possession to the complainants on 18.07.2018. There was no delay on his part in completion of the project because he had applied for occupation certificate prior to the agreed date i.e. 08.10.2017

3. During the course of hearing on 03.09.2019, the Authority in view of the dates on which occupation certificate was applied and granted had observed that there was no delay on the part of the respondent for completing the project.

The Authority was also apprised on 03.09.2019 that the respondent was offering possession to the complainants on the condition that they should sign an undertaking, which according to them, was beyond the provisions of sale purchase agreement. So, the Authority has clarified in its order that the complainants are not duty bound to give an undertaking beyond the provisions of the agreement and directions were issued to the respondent to handover



possession and execute conveyance deeds in favour of the complainants before the next date of hearing.

4. Today, the complainants have informed the Authority that they have already obtained possession and conveyance deeds in their favour. So, the present complaints have been rendered infructuous and are accordingly **disposed of**.

The order be uploaded on the website of the Authority and files be consigned to the record room.



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**RAJAN GUPTA**  
[CHAIRMAN]



.....  
**ANIL KUMAR PANWAR**  
[MEMBER]



.....  
**DILBAG SINGH SIHAG**  
[MEMBER]