



**HARERA**  
**GURUGRAM**

**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
**GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

### PROCEEDINGS OF THE DAY

Day and Date	Wednesday and 19.09.2018
Complaint No.	261/2018 case titled as Mr. Subhash Chandra V/s M/s Adel Landmarks Ltd
Complainant	Mr. Subhash Chandra
Represented through	Complainant in person with Shri Sushil Yadav, Advocate.
Respondent	M/s Adel Landmarks Ltd
Respondent Represented through	Shri Arun Singh legal representative on behalf of the respondent-company with Ms. Tarini Bhargava, Advocate.
Last date of hearing	6.9.2018
Proceeding Recorded by	

### Proceedings

#### The project is registered.

The determination of the authority regarding issues raised by the complainant are:

- (i) As per the statement of the counsel for the respondent that the construction is approximately complete to the tune of 45%. The construction is held up and there is a delay in the delivery of the possession of the flat.
- (ii) Flat has not been delivered till now. The date of delivery of possession as per Builder Buyer Agreement was 22.6.2016 giving the benefit of grace period to the respondent. The flat has not been handed over so far.
- (iii) Irrelevant for determination of this matter.

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016  
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अर्तगत गठित प्राधिकरण

भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16





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New PWD Rest House, Civil Lines, Gurugram, Haryana

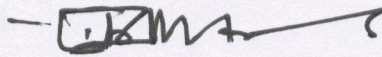
नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

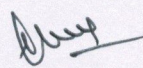
Keeping in view the fact that the promoter failed to complete/unable to give possession of the flat in accordance with the terms of the agreement for sale, accordingly, the promoter is directed to return the amount received by him in respect of the said flat with interest at the prescribed rate of 10.45% within 90 days from the date of this order. The matter regarding compensation may be taken up by the complainant before the Adjudicating Officer.

Relief sought in para Nos.4 and 5 are to be agitated before the Adjudicating Officer.

Costs imposed earlier stands waived off in view of the submission made by the counsel for the respondent in this regard for which an application has been filed. The application was considered and allowed.

  
Samir Kumar  
(Member)

  
Dr. K.K. Khandelwal  
(Chairman)  
19.09.2018

  
Subhash Chander Kush  
(Member)