



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		8
Day and Date	Thursday and 21.11.2024	
Complaint No.	CR/1503/2022 Case titled as Urvinder Singh Kohli VS Assotech Moonshine Urban Developers Private Limited	
Complainant	Urvinder Singh Kohli	
Represented through	Shri Dharmender Sehrawat Advocate	
Respondent	Assotech Moonshine Urban Developers Private Limited	
Respondent Represented through	Shri Vaibhav Kataria Advocate	
Last date of hearing	26.09.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings-cum-Order

The complainant had filed an application dated 15.05.2024 for the restoration of the matter, which had previously been disposed of vide order dated 29.02.2024. The said order was subject to the final realization of the agreed amount of Rs.20,00,000/- as the DPC amount, and the handover of possession of the allotted unit as per the settlement terms between the parties. The terms of the settlement clearly stipulated that the respondent was to pay the aforementioned amount as full and final settlement and to handover possession of the allotted unit within 30 days from the passing of the order.

However, it has been brought to the attention of this Authority that the respondent has neither made the payment of the agreed amount nor handed over possession of the allotted unit. On the last date of hearing, the counsel for the respondent stated that the DPC amount could not be paid due to financial constraints. However, the respondent assured that possession of the unit would be handed over within a week as the Occupancy Certificate (OC) had been received and an offer for possession had already been made. Moreover, the respondent offered a specific date for the handover of



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


possession, on 04.10.2024, at 11:00 AM.

Today, during proceedings, the counsel for the complainant stated that despite the direction of the Authority, the respondent has neither made any offer for possession nor initiated any steps towards fulfilling the settlement agreement.

Upon careful consideration of the facts and circumstances of the case, the Authority observes that the matter must be decided before the Adjudication Officer, HARERA, Gurugram, as the matter was previously disposed of in terms of the settlement agreement.

Since, the terms of the settlement have not been complied with by the respondent, the complainant is directed to file an execution petition for the enforcement of the order dated 15.05.2024. The Adjudication Officer shall take necessary steps for the execution of the said order in accordance with the provisions of law.

The matter stands disposed of. File to be consigned to the registry.


Vijay Kumar Goyal
Member
21.11.2024