

**BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL**

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**(1) Appeal No.175 of 2023**

**Date of Decision: February 11, 2025**

M/s Vipul Limited, Vipul Techsquare Golf Course Road,  
Sector 43, Gurugram, Haryana-122009

Appellant.

Versus

(1) Pawan Jeet Singh Kohli  
(2) Tejinder Kaur Kohli  
Both residents of R-44, Ground Floor, Rajori Garden, New Delhi-110027  
(3) Haryana Real Estate Regulatory Authority, Gurugram, PWD Guest  
House, Old Railway Road, Civil Lines, Gurugram, Haryana-122001

Respondents

**(1) Appeal No.176 of 2023**

M/s Vipul Limited, Vipul Techsquare Golf Course Road,  
Sector 43, Gurugram, Haryana-122009

Appellant.

Versus

(1) Gagan Deep Singh Kohli  
(2) Jaspreet Kaur Kohli  
Both residents of R-44, Ground Floor, Rajori Garden, New Delhi-110027  
(3) Haryana Real Estate Regulatory Authority, Gurugram, PWD Guest  
House, Old Railway Road, Civil Lines, Gurugram, Haryana-122001

Respondents

Present : Mr. Vineet Sehgal, Advocate for the appellant  
Mr. Harshit Goyal, Advocate for respondents  
No. 1 and 2.

**CORAM:**

**Justice Rajan Gupta  
Rakesh Manocha**

**Chairman  
Member (Technical)**

**ORDER:**

**RAJAN GUPTA, CHAIRMAN (ORAL):**

This order shall dispose of above mentioned two  
appeals as common question of law and facts are involved.  
However, the facts have been extracted from Appeal No. 175  
of 2023.

2. Present appeal is directed against order dated 23.02.2021, passed by the Authority<sup>1</sup>, operative part whereof reads as under:

*“i). The respondent shall pay the interest at the prescribed rate i.e. 9.30% per annum for every month of delay on the amount paid by the complainants from due date of possession i.e. 10.03.2012 till the actual offer of possession i.e. 06.06.2016.*

*ii) The arrears of interest accrued till date of decision shall be paid to the complainants within a period of 90 days from the date of this order.*

*iii) The complainants are directed to pay outstanding dues, if any, after adjustment of interest for the delayed period.”*

2. Respondents No. 1 and 2 (allottees) were allotted a unit in the project running in the name and style of Vipul Business Park, Sector 48, Gurugram. Buyer's agreement was executed on 10.03.2010, total consideration being Rs.32,03,832/-. Out of this, an amount of Rs.24,74,892/- was remitted by the allottees as per statement of account dated 01.11.2017. Due date of delivery of possession was 10.03.2012. Offer of possession was made on 06.06.2016. Occupation certificate was granted to the promoter on 01.06.2016. It appears that possession was taken by the allottees thereafter.

3. Counsel for the appellant has argued that the Authority has erred in granting interest from due date of possession i.e. 10.03.2012 till actual offer of possession i.e. 06.06.2016.

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<sup>1</sup> Haryana Real Estate Regulatory Authority, Gurugram

4. It is evident that offer of possession was made on 06.06.2016 i.e. much after due date of possession (10.03.2012). The Authority, thus, deemed it fit to grant delay compensation @9.30% per annum from due date of possession till the actual offer of possession i.e. 06.06.2016.

5. There is no legal infirmity in the order passed by the Authority.

6. The appeals are dismissed.

7. The amount of pre-deposit made along with the appeal along with interest accrued thereon be remitted to the Authority for disbursement to the allottees, subject to tax liability, if any, according to law.

8. Files be consigned to records.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Rakesh Manocha  
Member (Technical)

February 11, 2025  
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