



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	Tuesday and 19.6.2018
Complaint No.	134/2018 case titled as Monish Vohra versus M/s Sweet Home Buildwell Pvt. Ltd.
Complainant	Monish Vohra
Represented through	Shri Amit Kumar Srivastava, Advocate for the complainant.
Respondent	M/s Sweet Home Buildwell Pvt. Ltd.
Respondent Represented through	Shri Bidit Deka, Advocate for the respondent.

Proceedings

A photo copy of the settlement agreement was produced before the Authority. Accordingly, the matter was filed. Detailed order will follow. File be consigned to the Registry.


Samir Kumar
(Member)


Dr. K.K. Khandelwal
(Chairman)
19.6.2018


Subhash Chander Kush
(Member)

**BEFORE THE HARYANA REAL ESTATE REGULATORY
AUTHORITY, GURUGRAM**

Complaint No. : 134 of 2018

Date of Institution: 05.04. 2018

Date of Decision : 19.06. 2018

Monish Vohra S/o Late Sh. Sat Bal Vohra, R/o A-51, Sector-41,
Noida, U.P.- 201301

-----**Complainant**

Versus

M/s Sweet Home Buildwell Pvt. Ltd., 449 RPS Flats, Mansarovar
Park, Shahdra, Delhi-110032, through its Director

-----**Respondent**

CORAM:

Dr. K.K. Khandelwal

Chairman

Shri Samir Kumar

Member

Shri Subhash Chander Kush

Member

APPEARANCE:

Shri Amit Kumar Srivastava

Advocate for the complainant

Shri Bidit Deka

Advocate for the respondent



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**Settlement Order interse Mr. Monish Vohra- Complainant
and M/s Sweet Home Buildwell Pvt. Ltd. - Respondent**

1. A complaint dated 05.04.2018 was filed under Section 31 of the Real Estate (Regulation & Development) Act, 2016 read with Rule 28 of the Haryana Real Estate (Regulation and Development) Rules, 2017 by the complainant (Mr. Monish Vohra) against the promoter (M/s Sweet Home Buildwell Pvt. Ltd.) claiming refund along with interest on account of non-delivery of possession of the unit described as below.
2. The particulars of the complaint are as under: -

1.	Name and location of the Project	M2K Corporate Park Shopping Plaza, Sector-51, Gurugram
2.	Flat/Apartment/Plot No./Unit No.	Commercial shop- FF9
3.	Booking amount paid by the buyer to the builder/promoter/company	₹11,07,656/-
4.	Total consideration amount as per application form	₹2,547,609/-
5.	Total amount paid by the complainant upto date	₹11,07,656/-
6.	Percentage of consideration amount	Approx. 43 percent




3. As per the details provided above, the complainant raised his contention that he had booked a commercial shop with a provisional Unit No. FF9 measuring 590.75 square feet. That, as per the application, the basic sale price of shop was fixed at Rs.7500/- per square feet. He had paid booking amount of Rs.11,07,656/- through cheque Nos. 291809 and No. 323134 in the month of July, 2008. On account of non-delivery of possession, the complainant decided to cancel his booking with immediate effect and sent a request for cancellation for his unit on 08.12.2011 but after four months, the respondent sent a letter demanding outstanding payment of Rs.14,39,953/- on 18.4.2012. Thereafter, the complainant received a letter dated 12.10.2012 from the company for cancellation of unit due to non-payment of the due amount and informed that the earnest money which was 15% of the sale consideration stood forfeited.
- Notice was issued to the respondent on 25.04.2018. Accordingly, Shri Bidit Deka, Advocate appeared on behalf of the respondent on 15.05.2018. Reply on behalf of the respondent was filed which was found to be vague and evasive.



5. The case subsequently came up for hearing on 19.06.2018. The parties have filed a copy of the Settlement Deed dated 12th June 2018 which has been signed by both the parties in the presence of two witnesses and the same has been placed on record.
6. Since both the parties have expressed their satisfaction over the amicable settlement, as such, their contentious issues stand resolved. The complaint dated 05.04.2018 is disposed of accordingly in terms of "Settlement deed dated 12th June 2018".
7. Order is pronounced.
8. Case file be consigned to the Registry.
9. The order is pronounced.


(Samir Kumar)
Member


(Subhash Chander Kush)
Member


(Dr. K.K. Khandelwal)
Chairman

Haryana Real Estate Regulatory Authority, Gurugram

