

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No. 121 of 2023

Date of Decision: December 17, 2025

Yogesh Khanna, #12 Pines Close, Northwood, London HA63SJ,
United Kingdom

Appellant

Versus

1. Olive Realcon Pvt. Ltd., 6th Floor, M3M Tee Point, North Block, Sector 65, Gurugram, Haryana-122101

2. Manglam Multiplex Pvt. Ltd., Cabin-1, LGF, F-22, Sushant Shopping Arcade, Sushant Lok Phase-I, Gurugram, Haryana-122002

3. M3M India Limited, Paras Twin Towers, Tower-B, 6th Floor, Golf Course Road, Sector 54, Gurugram, Haryana-122002

Respondents

Coram:

Justice Rajan Gupta

Chairman

Dr. Virender Parshad

Member (Judicial)

Dinesh Singh Chauhan

Member (Technical)

Present: Mr. Rit Arora, Advocate for the appellant.

Mr. Aman Arora, Advocate for the respondents.

RAJAN GUPTA, CHAIRMAN:

Present appeal is directed against order dated 01.12.2022, passed by the Authority¹, whereby the complaint filed by the appellant-allottee was dismissed.

2. It appears that the appellant-allottee booked an apartment in the project floated by the respondent-promoter, namely, Trump Towers', in Sector 65, Gurugram under Construction Linked Plan on 16.01.2019 and paid an amount of Rs.25,00,000/-. Allotment letter was issued to the

¹ Haryana Real Estate Regulatory Authority, Gurugram

appellant-allottee on 24.01.2019. Total sale consideration of the apartment was Rs.8,28,12,576/-. Builder Buyer's Agreement was executed between the parties on 24.01.2019. As the appellant-allottee failed to make remaining amount in instalments, unit was cancelled by the respondent-promoter vide cancellation letter dated 24.03.2022. The appellant-allottee preferred the complaint seeking setting aside the said cancellation letter.

3. Stand of the respondent-promoter is that as the appellant-allottee failed to fulfill contractual obligation of making timely payment, after sending various reminders, the unit was cancelled on 24.03.2022.

4. After considering rival contentions of the parties, the Authority dismissed the complaint vide impugned order.

5. We have heard learned counsel for the parties and given careful thought to the facts of the case.

6. A perusal of the impugned order shows that the appellant-allottee paid an amount of Rs.25,00,000/- against total sale consideration of Rs.8,28,12,576/-, which even did not constitute 10% of the consideration money. Various reminders were sent by the respondent-promoter to the appellant-allottee for making payments. Despite that, the appellant-allottee did not make any payment. Thereafter, pre-cancellation letter dated 27.12.2021 was issued by the respondent-promoter. Ultimately, the unit was cancelled vide letter dated 24.03.2022. In our view, the unit was cancelled by the respondent-promoter after following due procedure. We find no legal infirmity with the order passed by the Authority.

7. The appeal is without any merit and is hereby

dismissed.

8. Copy of this order be sent to the parties/their counsel and the Authority.

9. File be consigned to records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dr. Virender Parshad
Member (Judicial)

Dinesh Singh Chauhan
Member (Technical)

December 17, 2025
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