

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

complaint no. 1650/2019

Date of First hearing 13.11.2019

Date of decision 09.01.2020

1.Sushil Kumar Sharma and

2. Meenakshi Sharma

**Address: C-84, Oakwood Estate,
DLF Phase-2, Gurgaon-122002**

Complainants

Versus

1.M3M India Private Limited

**Address: M3M Cosmopolitan, 12th floor, sector-66,
Golf Course Extension Road,
Gurugram-122002**

Respondent

CORAM:

Shri Samir Kumar

Shri Subhash Chander Kush

Member

Member

APPEARANCE.

Sushil Kumar Sharma

Complainant in Person

Ms. Shriya Takkar &

Ms. Syashu Pesswani

Advocates for the respondent

ORDER

1. The present complaint has been filed by the complainants against the respondent promoter under section 31 of the Real Estate (Regulation and Development) Act, 2016 (in short, the Act) read with Rule 28 of the Haryana Real Estate (Regulation

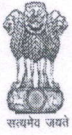
and Development) Rules, 2017 (in short, the Rules) for violation of section 11(4) (a) of the Act.

2. The particulars of the project, the details of sale consideration, the amount paid by the complainant, date of proposed handing over the possession, delay period, if any, have been detailed in the following tabular form: -

S.No.	Heads	Details
1.	Project name and location	"M3M WOODSHIRE", Sector 107, Village Dharampur, Gurugram
2.	Project area	18.88125 acres
3.	Nature of project	Group housing colony
4.	RERA registered/ not registered	Not Registered
6.	DTCP License No. & validity status	33 of 2012 dated 12.04.2012 valid upto 11.04.2018
7.	Name of licensee	Cogent Realtors Pvt. Ltd.
8.	Unit no., Tower no.	MW TW-B08/0704, 7 th floor, Tower B8
9.	Super area of the Unit	1943 sq. ft. (180.51 sq. mtrs.)
10.	Date of execution of agreement	24.03.2018 (page no. 25 of the complaint)
11.	Payment plan	Installment linked payment plan
12.	Total cost	Rs. 10,900,230/-

		(as per statement of account-cum-invoice, page no. P/17 of the complaint)
13.	Total amount paid by the complainants	Rs. 7,171,018/- (as per statement of account-cum-invoice, page no. P/17 of the complaint)
14.	Due date of delivery of possession as per agreement (Clause 17.1 possession of the apartment upon receipt of the total consideration and other charges/amounts as per the payment plan opted by the allottee	On payment of total sale consideration
15.	Status of project	OC received on 24.07.2017
16.	Date of offer of possession	19.03.2018 (P/15 of the complaint)
17.	Specific relief sought (in specific terms)	To hand over the possession of the food kiosk with AC covered dinning hall.

3. The details provided above have been checked on the basis of the record available in the case file which have been provided by the complainants.



4. Before filing the complaint before the Authority the complainants sent the copies of the complaint and the documents to the respondent through speed post as well as on its given E-mail address. Service reports have been filed on the record. On receipt of the complaint the Authority also issued notice to the respondent through speed post and also on given e-mail address. Notice has been served upon the respondent both ways. Respondent has, however, not filed any reply to the complaint though the respondent has been represented by Ms. Shriya Takkar and Ms. Syashu Pesswani Advocates.
5. Arguments heard.
6. A perusal of the case file shows that the complainant is a second allottee and he has already taken the possession of the allotted unit after receipt of occupation certificate, as such the question of the delayed possession charges do not arise.
7. The complainant has alleged that the respondent has failed to get the conveyance deed executed in favour of the complainant, as such the respondent is directed to get the conveyance deed executed within a period of one month.

8. Complaint stands disposed of.
9. File be consigned to the registry.


(Samir Kumar)

Member

Haryana Real Estate Regulatory Authority, Gurugram

Date 09.01.2020

Judgment uploaded on 24.02.2020


(Subhash Chander Kush)

Member

Haryana Real Estate Regulatory Authority, Gurugram