

**BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL**

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**Appeal No. 396 of 2020**

**Date of Decision: May14, 2026**

Skyroto Print LLP (formerly, M/s Skyroto Print Pvt. Ltd.), R/o  
Plot No. 189, Sector 59, Ballabgarh, Faridabad-121004

Appellant

Versus

M/s Ireo Victory Valley Pvt. Ltd., Office at: 5<sup>th</sup> Floor, Orchid  
Centre, Golf Course Road, Sector 53, Gurugram-122002

Respondent

**CORAM:**

**Justice Rajan Gupta  
Dr. Virender Parshad**

**Chairman  
Member (Judicial)**

Present: Mr. Akshat Mittal, Advocate for the appellant.

Mr. Sameer Choudhary, Advocate with  
Ms. Ruchi Kumar, Mr. Lokendra Singh and  
Mr. Arvind Bangar, Advocates for the respondent.

**ORDER:**

**RAJAN GUPTA, CHAIRMAN**

Present appeal is directed against order dated  
01.10.2020, passed by the Authority<sup>1</sup>. Operative part thereof  
reads as under:

*“13. Hence, the authority hereby pass the following  
order and issue the directions under Section 34(f) of  
the Act:*

- i. The respondent is directed to pay the interest at  
the prescribed rate i.e. 9.30% per annum for  
every month of delay on the amount paid by the  
complainant from due date of possession i.e.  
29.05.2014 till the offer of possession i.e.  
25.10.2017.*

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

- ii. *The arrears of interest accrued so far shall be paid to the complainant within 90 days from the date of this order.*
- iii. *The complainant is directed to pay outstanding dues, if any, after adjustment of interest for the delayed period.*
- iv. *The respondent shall not charge anything from the complainant which is not part of the apartment buyer's agreement.*
- v. *Interest on the due payments from the complainant shall be charged at the prescribed rate i.e. 9.30% by the promoters which is the same as is being granted to the complainant in case of delayed possession charges.*

*14. The authority has decided to take suo-moto cognizance against the promoter for not getting the project registered and for that separate proceeding will be initiated under the Act. The registration branch is directed to take necessary action in this regard against the respondent. A copy of this order be endorsed to the registration branch.*

*15. Complaint stands disposed of.*

*16. File be consigned to registry.”*

2. It appears that a project in the name and style of 'IREO Victory Valley' was floated by the respondent-promoter in Golf Course Extension Road, Sector 67, Gurugram. The appellant was allotted a unit measuring 3367 square feet therein vide allotment letter dated 29.12.2011. Apartment Buyer's Agreement (ABA) was executed between the parties on 29.02.2012. Total sale consideration of the unit was Rs.3,32,38,770/-, out of which the allottee remitted an amount of Rs.2,77,18,926/-. As per clause 13.3 of the agreement, due date of possession was 29.05.2014 (i.e. 36

months from the date of approval of building plan plus grace period of 180 days). Occupation certificate was granted to the project on 28.09.2017. Immediately thereafter, the promoter offered possession to the allottee on 25.10.2017. As there was delay in handing over the possession, the allottee preferred a complaint before the Authority seeking DPC (Delay Possession Charges).

3. After hearing rival contentions of the parties, the Authority issued the directions, as contained in the opening paragraph of this judgment.

4. Learned counsel for the allottee assailed the impugned order by contending that grace period of 180 days could not have been awarded to the promoter in the absence of valid reasons therefor.

5. Per contra, learned counsel for the respondent-promoter submitted that due date of possession should have been computed from the date of grant of fire NOC. However, on a query being put to him, whether this issue was highlighted before the Authority; and whether any appeal has been filed on behalf of the promoter, the response is in negative.

6. On the other hand, counsel for the appellant-allottee submitted that the Authority has already adopted a liberal approach by granting six months grace period to the promoter despite the fact that neither there was any counter-claim filed by it nor any such plea was taken by the promoter in the reply filed by it. This apart, the Authority has proceeded

strictly as per law in granting DPC from due date of possession till valid offer of possession.

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

8. From a perusal of the record, it is apparent that the promoter was granted occupation certificate on 28.09.2017 and it also offered the allottee to take possession of the unit on 25.10.2017. We find that offer of possession dated 25.10.2017 is a 'valid offer of possession'. Under these circumstances, the Authority rightly granted delay possession charges from due date of possession (29.05.2014) till the offer of possession (25.10.2017). Besides, as per agreement, the Authority also granted six months' grace period to the respondent-promoter. We find no infirmity with the impugned order.

9. In view of the above, there is no merit in the appeal. The same is, accordingly, dismissed.

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

11. File be consigned to records.

Justice Rajan Gupta,  
Chairman,  
Haryana Real Estate Appellate Tribunal

Dr. Virender Parshad  
Member (Judicial)

May 14, 2026  
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