

PROCEEDINGS OF THE DAY

Day and Date	Thursday and 19.7.2018
Complaint No.	60/2018 case titled as Mr. Sanjay Khanna V/s M/s Ansal Phalak Infrastructure Pvt. Ltd.
Complainant	Mr. Sanjay Khanna
Represented through	Complainant in person.
Respondent	M/s Ansal Phalak Infrastructure Pvt. Ltd.
Respondent Represented through	Shri Charu Sharma, Deputy Manager on behalf of the respondent-company with Shri Siddharth Yadav, Advocate

Proceedings

Both the parties are present. They have settled the matter outside the authority. Photo copy of Memorandum of Understanding has been filed by the learned counsel for the respondent as the original MOU is possession of the complainant. The matter is disposed of accordingly. Order is pronounced. Detailed order will follow. File be consigned to the Registry.

Samir Kumar
(Member)

Subhash Chander Kush
(Member)

Dr. K.K. Khandelwal
(Chairman)
19.7.2018

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

Complaint No. : 60 of 2018
First date of hearing : 12.04.2018
Date of Decision : 19.07.2018

Mr. Sanjay Khanna,
R/o. Sharjah, U.A.E, P.O. Box-25397 **..Complainant**

Versus

M/s Ansal Phalak Infrastructure Pvt Limited
Regd. Office: 115, Ansal Bhawan, 16 Kasturba
Gandhi Marg, New Delhi-110001 **..Respondent**

CORAM:

Dr. K.K. Khandelwal **Chairman**
Shri Samir Kumar **Member**
Shri Subhash Chander Kush **Member**

APPEARANCE:

Complainant in person Advocate for the complainant

Smt Charu Sharma, Deputy
Manager on behalf of
respondent company with Shri
Siddharth Yadav, Advocate Advocate for the respondent



SETTLEMENT ORDER INTERSE -

**Mr Sanjay Khanna (Complainant) & M/s Ansal Phalak
Infrastructure Pvt Limited (Respondent)**

1. Complaint dated 23.03.2018 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 Sanjay Khanna, against the promoter M/s Ansal Phalak Infrastructure Pvt Limited on account of violation of the clause 5.1 of the apartment buyer's agreement executed on 16.02.2015 in respect of apartment number GF3269 in the project 'Versalia' claiming refund of the money paid by him along with interest.
2. The particulars of the complaint case are as under: -

1.	Name and location of the project	"Versalia", Sector 67 A, Gurugram
2.	RERA registered/ not registered.	Registered
3.	Apartment/unit no.	GF3269
4.	Booking date	17.10.2014
5.	Date of execution of apartment buyer's agreement	16.02.2015
6.	Payment plan	Construction linked payment plan
7.	Total Sale Consideration	Rs.2,03,04,900/-



8.	Total amount paid by the complainant till date	Rs.62,92,000/-
9.	Date of delivery of possession	As per clause 5.1 of apartment buyer's agreement - 36 Months + 6 months grace period from the date of execution of Builder Buyer Agreement upon receipt of all approvals i.e 16.08.2018
10.	Penalty clause as per apartment buyer's agreement dated 16.02.2015	Clause 5.4 of the agreement i.e. Rs.10/- per sq. ft per month of the super area

3. As per the details provided above, the complainant, namely, Mr. Sanjay Khanna has raised his contention that he had applied for allotment of an apartment unit no GF3269 in the project "Versalia" in Sector-67 A, Gurgaon. The Complainant made a partial payment of Rs. 62,92,000/- out of the total sale consideration. Certain disputes arose between both the parties pertaining to the said allotment, which led to the filing of Complaint before this authority.




4. The case came up for hearing on 12.04.2013, 02.05.2018, 23.05.2018, 05.07.2018, 18.07.2018, 19.07.2018. On 19.07.2018, Both the parties informed the authority that they have arrived at settlement accordingly, the complainant does not intend to pursue the complaint.

Therefore photocopy of memorandum of understanding dated 18 July 2018 signed by both the complainants and the authorized signatory of the respondent company and the same has been placed on record for further reference and record.

5. Since both the parties have expressed their satisfaction over the amicable settlement. as such, their contentious issues stand resolved. The complaint dated 23.03.2018 is disposed of accordingly.
6. The order is pronounced.
7. Case file be consigned to the registry.

(Samir Kumar)
Member

(Subhash Chander Kush)
Member


(Dr. K.K. Khandelwal)
Chairman

Haryana Real Estate Regulatory Authority, Gurugram

