

PROCEEDINGS OF THE DAY

Day and Date	Monday and 05.11.2018
Complaint No.	404/2018 case titled as Mr. Surendra Singh V/s M/s Adel Landmarks Ltd. & anr.
Complainant	Mr. Surendra Singh
Represented through	Complainant in person
Respondent	M/S Adel Landmarks Ltd. & anr.
Respondent Represented through	Mohd. Amir, authorized representative on behalf of respondent-company with Ms. Tarini Bhargava, Advocate.
Last date of hearing	9.10.2018
Proceeding Recorded by	Naresh Kumari and S.L.Chanana

Proceedings

Arguments heard.

Complainant has stated that project stands abandoned since August 2014. As per clause 10.1. of BBA dated 14.12.2011, committed date of delivery of possession was 14.06.2015 including six months grace period. His unit number is CSM/103/B-0501, Cosmocity, Sector 103, Gurugram. Complainant has annexed photographs w.r.t. to status of the project and seeks refund of the paid amount of Rs.23,76,129/- alongwith prescribed rate of interest @ 10.75 p.a. prevailing as on date. Counsel for the respondent apprised the authority that license was valid upto 2014 and they have applied for renewal of the same. However, the same is still pending for

renewal with the competent authority. Respondent has also applied for registration of the project with the authority which can not be done in the absence of valid license and other formalities. As such, keeping in view the miserable state of affairs on the part of the respondent, the authority has no option but to direct the respondent to refund the amount taken from the complainant as per the provisions of section 18(1) of the Real Estate(Regulation & Development) Act, 2016 on account of non delivery of possession of the flat on committed date of delivery alongwith prescribed rate of interest @ 10.75% p.a. prevailing as on date within a period of 90 days from today.

Complaint stands disposed of in above terms. File be consigned to the Registry.

Samir Kumar
(Member)

Subhash Chander Kush
(Member)