

<b>PROCEEDINGS OF THE DAY</b>	
Day and Date	Wednesday and 31.10.2018
Complaint No.	290/2018 Case titled as Ms. Poonam Saharwal V/s M/s Umang Realtech Pvt. Ltd
Complainant	Ms. Poonam Saharwal
Represented through	Complainant in person
Respondent	M/s Umang Realtech Pvt. Ltd
Respondent Represented through	Shri Arpit Diwedi, Advocate for the respondent.
Last date of hearing	3.10.2018
Proceeding Recorded by	
<b>Proceedings</b>	
<p>Counsel for the respondent submitted a Settlement Agreement executed inter se the respondent and the complainant. This Settlement Agreement has been signed by both the parties. Accordingly, the matter is disposed of in view of the Settlement Agreement arrived at between the parties. Detailed order will follow. File be consigned to the registry.</p>	
Samir Kumar (Member)	Subhash Chander Kush (Member)

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

**Complaint No.** 290 of 2018  
**First date of hearing** 17.07.2018  
**Date of Decision** 31.10.2018

Ms Poonam Sabharwal  
R/o House No 772, Sector 43, Gurugram-  
122002

**Complainant**

Versus

M/s Umang Realtech Pvt Ltd  
Reg Office : 1<sup>st</sup> Floor, The Great Eastern  
Center,70, Nehru Place, New Delhi

**Respondent**

**CORAM:**

Dr. K.K. Khandelwal  
Shri Samir Kumar  
Shri Subhash Chander Kush

**Chairman**  
**Member**  
**Member**

**APPEARANCE**

Complainant in person Advocate for complainant

Shri Suneet Yadav Advocate for respondent



**ORDER**

1. A premature complaint dated 18.05.2018 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 Ms

Poonam Sabharwal, against the promoter M/s Umang Realtech Pvt Ltd on account of violation of provisions of the builder-buyer agreement executed on 15.05.2015 for apartment no. 402, tower N, 4<sup>th</sup> floor with a super area of 1550 sq. ft in the project “Monsoon Breeze Phase II”.

2. The particulars of the complaint are as under: -

1.	Name and location of the project	“Monsoon Breeze Phase II” in sector 78, Gurugram
2.	Nature of real estate project	Group housing colony
3.	Unit No.	402, Tower N
4.	DTCP license	77 of 2012
5.	Registered/ Not Registered	Registered
6.	RERA Registration No	14 of 2018
7.	Completion date as per RERA registration certificate	31.12.2020
8.	Date of booking	31.03.2015
9.	Date of builder buyer agreement	15.05.2015
10.	Total consideration	Rs. 1,04,62,500/-
11.	Total amount paid by the complainant	Rs. 36,38,222/-
12.	Payment plan	Possession Linked Plan
13.	Date of delivery of possession.	As per clause 6.1 of Builder Buyer Agreement- 42 months from the date of approval of building plan or date of agreement + 6 months grace period i.e 15.05.2019



14.	Delay of number of months/ years upto 31.10.2018	Premature
15.	Penalty clause as per builder buyer agreement	As per Clause 6.7 of BBA i.e Rs 5 per sq. ft of Super Area for every month of delay

3. The details provided above have been checked as per record of the case file provided by the complainant and the respondent. A builder buyer agreement dated 15.05.2015 is available on record according to which the possession of the aforesaid unit was to be delivered by 15.05.2019.
4. Taking cognizance of the complaint, the authority issued notice to the respondent for filing reply and for appearance. Accordingly, the respondent appeared on 17.07.2018. The case came up for hearing on 17.07.2018, 23.08.2018, 25.09.2018, 03.10.2018 and 31.10.2018. The reply has been filed on behalf of the respondent on 18.07.2018.
5. Counsel for the respondent submitted a settlement deed executed inter se the respondent and the complainant. This settlement deed has been signed by both the parties. Accordingly, the matter is disposed of in view of the settlement deed arrived at between the parties.



6. Detailed order is pronounced
7. File be consigned to the registry.

(Samir Kumar)  
Member

(Subhash Chander Kush)  
Member

Dated : 31.10.2018



HARERA  
GURUGRAM

