

PROCEEDINGS OF THE DAY

Day and Date	Tuesday and 30.10.2018
Complaint No.	420/2018 Case Titled As Mr. Raman Behl & anr. V/S M/s Emaar MGF Land Ltd.
Complainant	Mr. Raman Behl & anr.
Represented through	Shri Dinesh Gupta, Advocate for the complainant.
Respondent	M/s Emaar MGF Land Ltd.
Respondent Represented through	Ms. Monika Balhara and Shri Ketan Luthra, authorized representatives on behalf of the respondent-company with Shri Ishaan Dang, Advocate.
Last date of hearing	4.10.2018
Proceeding Recorded by	Naresh Kumari & S.L.Chanana

Proceedings

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 inter se the parties. Detailed order will follow. File be consigned to the registry.

Samir Kumar
(Member)

Subhash Chander Kush
(Member)

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

Complaint No. : 420 of 2018
First date of hearing : 07.08.2018
Date of Decision : 30 .10.2018

- 1) Mr. Raman Bahl
- 2) Ms Poonam Bahl,
R/o 3A/116, Sector 3, Rachna,
Vaishali, Ghaziabad-201010, Uttar
Pradesh

Complainants

Versus

- 1) M/s Emaar India Pvt Ltd
Office: 306-308, Square One, C-2,
district centre, Saket
- 2) Ms Shivani Bhasin (Director)
R/o Flat No 26, 13th Floor, Sea Bird
apartment Band Stand, BJ Road,
Bandra (West), Mumbai-400050
- 3) Amit Jain (Director)
R/o H No. 317, Sector 9, Faridabad-
121006
- 4) Sudip Mullick
R/o 24/2, Dixon Lane, Entally,
Kolkata-700014, West Bengal
- 5) Jason Ashok Kothari (Director)
R/o Grand Hyatt Mumbai, Off Western
Express Highway, Santacruz East,
Mumbai-400055.

Respondents



CORAM:

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

Chairman
Member
Member

APPEARANCE:

Shri Dinesh Gupta

Advocate for the complainant

Shri Ishaan Dhang

Advocate for the respondent

SETTLEMENT ORDER INTER SE -

Mr. Raman Bahl & Ms Poonam Bahl

(Complainants) & M/s Emaar India Pvt Ltd (Respondent)

1. A complaint dated 13.06.2018 was filed under section 31 of the Real Estate (Regulation and Development) Act, 2016 read with rule 28 of the Haryana Real Estate (Regulation and Development) Rules, 2017 by the complainants Mr. Raman Bahl & Ms Poonam Bahl against the promoter M/s Emaar India Pvt Ltd on account of violation of clause 10 (a) of the buyer's agreement executed on 25.08.2011 for unit no. PGN-07-0204 in the project "Palm Gardens" for not giving possession on the due date which is an obligation of the promoter under section 11 (4) (a) of the Act *ibid*.



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

1.	Name and location of the project	"Palm Gardens" in Sector 83, Gurugram
2.	Nature of real estate project	Group housing colony
3.	Unit no.	PGN-07-0204
4.	Project area	99,079.65 sq. m
5.	Registered/ not registered	Registered
6.	RERA registration no	330 of 2017
7.	Completion date as per RERA certificate	31.12.2018
8.	DTCP license	330 of 2017
9.	Date of builder buyer agreement	25.08.2011
10.	Total consideration	Rs 68,85,219/-
11.	Payment plan	Construction linked plan
12.	Date of delivery of possession.	Clause 10 (a) - 36 months from date of start of construction + 3 months grace period i.e 25.11.2014



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 complainant and the respondents. The complainants had applied for allotment of unit no PGN-07-0204 in the project "Palm Garden" in Sector-83, Gurgaon.

certain disputes arose between both the parties pertaining to the said allotment, which led to the filing of Complaint before this authority.

4. Taking cognizance of the complaint, the authority issued notice to the respondent for filing reply and for appearance. Accordingly, the respondent appeared on 07.08.2018. The case came up for hearing on 07.08.2018, 30.08.2018, 04.10.2018 and 30.10.2018. The reply filed on behalf of the respondent has been pursued.
5. The counsel for the respondent submitted a settlement agreement dated 28.08.2018 executed between the respondent and the complainant. The settlement agreement has been signed by both the parties and the same has been placed on record for further reference and record.
6. Since both the parties have expressed their satisfaction over the amicable settlement. As such, their contentious issues stand resolved. The complaint dated 13.06.2018 is disposed of accordingly.



7. The order is pronounced.
8. Case file be consigned to the registry.

(Samir Kumar)
Member

(Subhash Chander Kush)
Member

Dated : 30.10.2018



HARERA
GURUGRAM

