

**HARYANA REAL ESTATE REGULATORY AUTHORITY,  
PANCHKULA.**

Complaint No. RERA-PKL-590 of 2018

Bhupesh Mittal.

...Complainant.

Versus

M/s Pivotal Infrastructure Pvt. Ltd.

...Respondent.

**Date of hearing:-** 14.11.2018

**Coram:-** Shri Rajan Gupta, Chairman.  
Shri Anil Kumar Panwar, Member.  
Shri Dilbag Singh Sihag, Member.

**Appearance:-** Shri Denson Joseph, Advocate for complainant.  
Shri Rohan Gupta, Advocate for respondent.

**ORDER:-**

1. The complainant herein has booked an apartment in a Real Estate Project named "Ansal Royal Heritage" situated in Sector-70, Faridabad and he was allotted an apartment No. 103 on first floor in Tower No. 12A measuring 1485 Sq. fts. . Parties entered into an agreement on 28.11.2012 and thereby the respondent assured the complainant to deliver possession of the apartment within 42 months from the date of signing of the agreement, which period has since lapsed on 28.11.2015. There is no dispute raised by the respondent on the



point that the complainant had already paid Rs. 32,13,394/-, which constitutes 95% of the total sale consideration of Rs. 32,95,720/-.

2. The respondent has already offered possession of the apartment to the complainant on 08.12.2017. The complainant's grievance is that the respondent has raised an illegal demand of Rs. 6,92,753/- under various heads and has not compensated him for two years delay in delivery of possession. So, the present complaint has been filed for awarding compensation and for declaring the demand as illegal.

3. The respondent has contested the complaint averring that he is entitled for impugned demand because the same has been raised in terms of the buyer's agreement executed between the parties.

4. The Authority was apprised by the counsels for the parties that various points relating to the demand raised against the complainant has been already dealt with by this Authority in the previous complaint No. 49 of 2018 titled as "Parkash Chand Arohi Versus M/s Pivotal Infrastructure Pvt. Ltd. decided on 04.09.2018. So, the learned counsel for the parties have requested that the issues concerning the legality and propriety of various demands and manner about the arriving at calculations under various heads, may be decided in terms of the judgment passed in complaint case No. 49 of 2018, *ibid*.



5. Consequently, the present complaint is disposed of with the directions that the respondent shall re-calculate the various amounts raised in the impugned demand in the manner as already decided in complaint case No. 49 of 2018. Parties shall remain bound by the basic principles illustrative in the said judgment and the respondent shall supply all necessary details to complainant after making calculation per decision of said judgment. File be consigned to the record room.



**Dilbag Singh Sihag**  
Member



**Anil Kumar Panwar**  
Member



**Rajan Gupta**  
Chairman