

Complaint No. RERA-PKL-COMP. 143/2018

Date of hearing. On 03.07.2018, 5<sup>th</sup> Hearing.

Parties names. Charu Sachdeva. ...Complainant

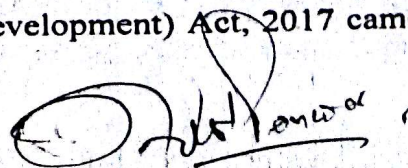
Versus

M/s Ansal Properties & Infrastructure Pvt. Ltd ...Respondent.

Present:- i) Shri Rajinder Ahluwalia, Advocate on behalf of complainant.  
ii) Shri Kamal Dahiya, Advocate on behalf of respondent.

**ORDER:-**

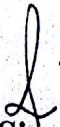
The Authority has heard the parties and on examination of the records find that the complainant had purchased a flat from the respondent in his project "Green Escape Apartments, Akbarpur Barota, Sonapat". The possession as per agreement was required to be delivered in January, 2016. Complainant's grievance is that the respondent has stopped construction work without honouring his commitment regarding delivery of possession. The respondent has nowhere averred in his reply that the project is complete for delivery of possession. So, the complainant is held entitled for withdrawal of the amount of Rs. 21,67,649/- already paid to the respondent along with interest equivalent to the amount calculated at the rate of Rs. 5/- per sq. ft. of the super area of the flat per month for the delay occurring till 1.5.2017 i.e. the date on which Real Estate (Regulation and Development) Act, 2017 came into force and thereafter

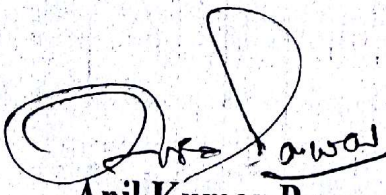


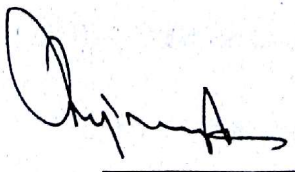
at interest calculated as per State Bank of India highest marginal cost of landing rate plus 2% as prescribed under Rule 15 of the Haryana State (Regulation and Development) Rules, 2017 till the actual date of payment. Respondent shall make the payment within 45 days.

In order to ensure that the respondent does not commit default towards payment within the time allowed to him and to obviate further harassment of the complainant by compelling him to undergo another round of litigation for recovery of the amount, the Authority observes that failure to comply with the aforesaid order by the respondent shall entail the liability of incurring a penalty to be paid by him for every day during which the default towards payment of amount continues and such penalty may cumulatively extend upto 5% of the estimated cost of his project as per provisions of Section 63 of the Act.

Complaint is accordingly disposed of without prejudice to the complainant's right to claim unquantifiable compensation for which he may be entitled under the law from the competent authority. File be consigned to the record room.

  
Dilbag Singh Sihag  
Member

  
Anil Kumar Panwar  
Member

  
Rajan Gupta  
Chairman. 19/2.