



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

### COMPLAINT NO. 2882 of 2019

Devdutt Sharma

....COMPLAINANT(S)

VERSUS

Unitech Ltd.

....RESPONDENT(S)

**CORAM: Rajan Gupta  
Anil Kumar Panwar**

**Chairman  
Member**

**Date of Hearing:** 20.10.2020

**Hearing:** 3<sup>rd</sup>

**Present:** Sh. Devdutt Sharma, complainant in person

Sh. Lalit Gupta, representative of the respondent company

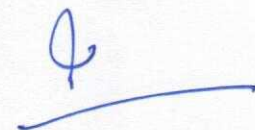
### **ORDER ( Rajan Gupta- Chairman)**

1. The facts of the case, as alleged by the complainant in complaint no. 2882 of 2019 are that he purchased a plot no. A0087 of 360 sq. yd. in 'Ananda, Uniworld City', Sector-15, Rewari being developed by M/s Unitech Ltd. He paid booking amount of Rs. 26,25,427/- (from 24.01.2012 to 17.12.2012) out of total consideration amount of Rs. 47,43,336/-. As per agreement dated 31.03.2012, it was agreed that the

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respondent shall make an offer of possession within 18 months (with grace period of 3 months) i.e. 23.07.2013 from the date of execution of the Builder-Buyer agreement and in case of any default and if the developer is not in a position to offer the promised property to the complainant, the respondent will offer an alternative property in any complex developed, underdevelopment or proposed to be developed in the surrounding area. Further, if no alternate property is available, in that case, the amount received by the respondent shall be refunded along with 12% interest per annum from the date of payment as per clause 4(e) of the agreement. After waiting for long, the complainant sent e-mail to the respondent on 06.05.2015 seeking clarification regarding the statement of accounts and status of the project. An e-mail was received from the respondent on 08.05.2015 but there was no mention about status of handing over possession of the plot. Since, there is no hope of completion of the project, the complainant seeks refund of the paid amount of Rs. 25,26,427/- alongwith 18 % interest per annum.

2. The respondent, in their reply dated 03.01.2020, submitted that their project is included in the list of projects, forming part of the judgement passed by the Hon'ble Supreme court in *Civil Appeal No. 10856/2016 titled as Bhupender Singh versus Unitech Ltd.* Further, it is also revealed that all the 74 projects of M/s Unitech Ltd. are included in the proceedings before the Hon'ble Supreme Court including the project at

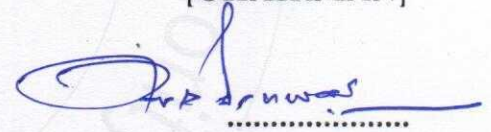


Rewari. Hon'ble Supreme court vide order dated 05.07.2019 had issued directions pertaining to the completion of all the 74 projects. According to the respondents, 22 out of 74 projects have been completed and 23 are being funded by 2 Asset reconstruction companies. Further course of action in the matter is being adopted in accordance with directions of Hon'ble Supreme Court.

3. Since, the matter is sub-judice before the Hon'ble Supreme court, the Authority cannot entertain the captioned complaint at this stage.
4. Accordingly, the matter is **disposed of**. File be consigned to the record room after uploading the orders on the website of the Authority.



RAJAN GUPTA  
[CHAIRMAN]



ANIL KUMAR PANWAR  
[MEMBER]