



Complaint No. 2132/2019

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2132 OF 2019

Dwarkadhis Projects Pvt. Ltd.

....COMPLAINANT(S)

VERSUS

Nikhil Gupta

....RESPONDENT(S)

CORAM: Rajan Gupta
Anil Kumar Panwar
Dilbag Singh Sihag

Chairman
Member
Member

Date of Hearing: 15.12.2020

Hearing: 9th

Present Through video conferencing: - Mr. Shubhankar Baweja,
Counsel for the Complainant.
Mr. Nikhil Gupta, Respondent-
in person.

ORDER (RAJAN GUPTA -CHAIRMAN)

1. The case of Complainant- builder is that respondent-allottee had booked an apartment bearing no. S-034, 3rd floor, building no-S on 30.06.2014 measuring 1225 Sq. Ft. in respondent's project named "CASA ROMANA", Sector-22, Dharuhera, Rewari, Haryana vide agreement to sell dated

30.06.2014. Total sale price of the apartment was Rs. 42,88,350/- excluding other charges against which an amount of Rs. 42,96,509/- had already been paid till September 2018 under the construction linked plan. Respondent is defaulting in making payment of Rs. 3,92,330/-. Hence, the present complaint.

2. Learned counsel for the respondent submits that the complainant has already paid an amount to the tune of 95% of the total sale consideration in accordance to the construction linked plan and the remaining 5% has to be paid at the time of possession. He further submits that the possession was to be handed over to the allottee on or before 30.06.2019 but after visiting the site he was shocked to see that construction of the towers are not completed. Therefore, he has stopped making payments as he has already paid more amount than due in accordance with the construction linked plan. He further averred that complainant-builder is harassing the respondent-allottee by lodging this complaint for extracting the money even when project is not complete.

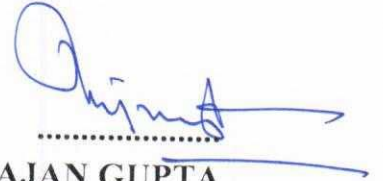
3. In today's hearing, learned counsel for the complainant submits that he wants to withdraw the complaint as he does not wish to prosecute the matter further.

4. Keeping in view of the above facts and written submissions of both the parties, the Authority is of the view that since the respondent has already paid more than 95% of the total sale price under construction linked plan and the

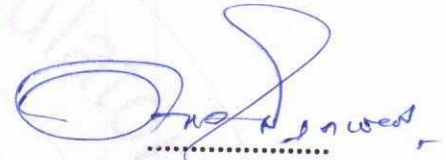


complainant- builder has admitted this fact, therefore, this complaint is devoid of merit. Hence, the same is dismissed as withdrawn.

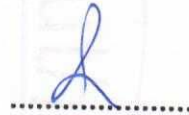
5. **Disposed of as withdrawn.** Files be consigned to the record room after uploading of this order of website.



RAJAN GUPTA
[CHAIRMAN]



ANIL KUMAR PANWAR
[MEMBER]



DILBAG SINGH SIHAG
[MEMBER]