

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

1. Complaint No. 364/2018- Ram Niwas Siwach

Versus

M2M Buildtech Pvt Ltd

2. Complaint No. 365/2018- Ram Niwas Siwach

Versus

M2M Buildtech Pvt Ltd.

Date of hearing: 13.02.2019

CORAM: -

1. Shri Rajan Gupta

Chairman

2. Shri Anil Kumar Panwar

Member

3. Shri Dilbag Singh Sihag

Member

APPEARANCE: -

1. Shri Ajay Chhikara, Advocate on behalf of Complainant.

2. Deep Chawla, Manager on behalf of respondent.

Order:

1. Both the above captioned complaints were taken up for hearing together as the same are based on similar facts and are directed against the same project of the respondent.



2. The complainants had booked flats in respondent's project named "M2M Green" situated in Sector-27-A, Rohtak. They have already paid Rs. 5 lacs each as booking amount to the respondent. The booking was made and amount was paid in the year 2013. Their grievance is that the respondent has failed to complete the project and has not delivered the possession to them till date.
3. The representative of the respondent has today sought to explain that the company has applied for migration of project to DDJAY group housing scheme and it is ready to adjust the money already paid by the complainant towards allotment of a plot to him in such colony once the concerned department grant him necessary permission. However, the complainants are not interested in acquiring a plot in DDJAY group housing scheme. They cannot be forced to purchase a plot in place of a flat and therefore, the Authority is of the considered opinion that complainants are entitled to refund of the amount alongwith interest from the date of payment of amount to the date of refund.
4. For the above reasons, complaints are **disposed of** with the directions that the respondent shall refund to the complainants the amount which they have already paid alongwith interest envisaged under Rule 15 of the HRERA, Rules @ State Bank of India highest marginal cost of landing rate plus 2% from the date of deposit of amount till its realisation. The respondent shall pay the amount in two instalments within a period of 60 days. The first instalment shall be 50% of the amount, it shall be paid within 30 days and the second instalment will be of

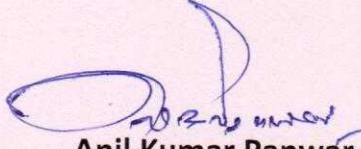


the remaining amount and the accrued interest which shall be paid in the next 30 days.

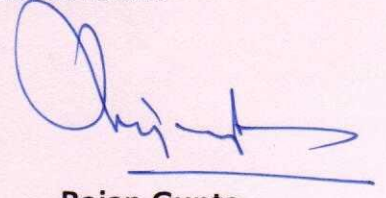
5. Cases are disposed of and files be consigned to the record room.



Dilbag Singh Sihag
Member



Anil Kumar Panwar
Member



Rajan Gupta
Chairman