

PROCEEDINGS OF THE DAY

Day and Date	Wednesday and 29.09.2021
Complaint No.	CR/1665/2021 Case titled as Anita Ahlawat VS Vatika Limited
Complainant	Anita Ahlawat
Represented through	Shri Abhishek Rao Advocate
Respondent	Vatika Limited
Respondent Represented through	Ms. Ankur Berry Advocate
Last date of hearing	11.8.2021
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

Arguments heard partly on behalf of both the parties. The matter in issue involved in this case is whether the respondent/builder is liable to pay assured return to the allottees or not as agreed in the BBA signed between the parties.

During the course of arguments, the counsel for the respondent argued upon the fact that the assured return payable to the complainant as promised in the BBA signed between them is illegal now according to BUDS, Act 2019 therefore the respondent is not liable to pay the assured sum as agreed before. The definition of "deposit" as defined under BUDS, Act 2019 and in Company Act, 2013 were also compared at length. The written submissions w.r.t the same was also submitted by the counsel and the same were placed on record for the kind perusal of the Authority.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana


नया पी.डब्ल्यू.डी. विश्राम गृह. सिविल लाईंस. गुरुग्राम. हरियाणा

As the matter involves the judicial interpretation upon a new issue therefore, the authority decided to act upon this matter after going by the written submission submitted by the parties as well as after application of its judicious mind.

The matter is for further arguments and final decision adjourned till 04.10.2021 for arguments.


Samir Kumar
Member


Dr. KK Khandelwal
Chairman
29.09.2021


Vijay Kumar Goyal
Member