

**HARYANA REAL ESTATE REGULATORY AUTHORITY
PANCHKULA**

**Complaint No. :875/2018
Date of hearing :14.03.2019
Hearing :4th**

Seema Gupta

....Complainant

Versus

M/s BPTP Ltd.

....Respondent

CORAM :

Sh. Rajan Gupta, Chariman
Sh. Anil Kumar Panwar ,Member
Sh. Dilbag Singh Sihag , Member

APPEARANCE :

Sh. Abhay Jain, Counsel for complainant
Sh. Hemant Saini, Counsel for Respondent

ORDER:

Complainant, while putting up his case, submitted that he booked a floor in respondent's project named "Park Elite Floors, Parklands", Faridabad in May 2009. Pursuant to this booking, an allotment letter dt. 24.12.2009 was issued in favour of complainant wherein unit no. Z22-15, measuring 1203 Sq. ft. had been allotted to him. He had paid Rs. 9,08,580/- for the said unit upto July 2012. Later, in february

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2015, respondent sent a letter stating that allotted unit could not be delivered due to litigation pending with the land owner and amount deposited by the complainant would be refunded with 9% interest from the date of receipts. Further he submitted that he approached the respondent many a times and requested to refund his amount but even after four years, respondent had not paid a single penny to the complainant. Aggrieved by this, complainant filed present complaint seeking refund of the deposited amount along with interest.

2. Despite several adjournments requested by the respondent to file reply, he failed to file reply even today. So, the authority decided to hear the argument of both parties regardless of the fact that no reply has been filed till date as this non-serious behaviour of the respondent clearly implies that he wants to delay the proceeding.

3. In view of the submissions made by the parties Authority is of considered opinion that since the respondent, in his letter dated 17.02.2015, had already admitted his inability to develop the unit and had also agreed to refund the amount deposited by the complainant. The complainant is



entitled to get the refund of the entire amount. So, the respondent is directed to refund the entire amount paid the complainant along with interest from the date of deposit till payment in accordance with Rule 15 of the HRERA Rule, 2017 i.e. at the rate of SBI highest marginal cost of leading rate plus 2%. Said amount shall be paid in 3 instalments and shall be paid in 90 days from uploading of this order on the website of HRERA.

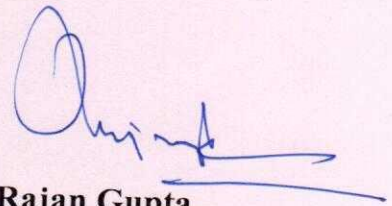
Consequently, case is **disposed of** in abovesaid terms and file be consigned to the record room.



Dilbag Singh Sihag
Member



Anil Kumar Panwar
Member



Rajan Gupta
Chairman