



Complaint No. 381 of 2019

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 381 OF 2019

Sanjeev Sirohi

....COMPLAINANT(S)

VERSUS

M/s Parsavnath Developers Limited.

....RESPONDENT(S)

**CORAM: Rajan Gupta
Anil Kumar Panwar**

**Chairman
Member**

Date of Hearing: 10.04.2019

Hearing: 2nd

Present: - Mr. Sanjeev Sirohi, complainant in person

Mrs. Rupali Verma, counsel for respondent

ORDER (RAJAN GUPTA- CHAIRMAN)

1. The complainant's case is that he had booked a plot on 24.06.2010 in the respondent's project named "Parsvnath City" Sonipat. He was allotted a plot bearing no. B-2429 on 30.07.2010, the possession of which has not been offered to him till now. The complainant then filed complaint before this Authority bearing complaint no.12/2018 which was disposed of vide order dated 10.07.2018 as settlement had been arrived between the parties which is reproduced below for ready reference:

"1. This is to intimate that I was allotted plot No. B 2429 vide your letter 30 July 2010. On possession the project was found to be delayed by appx. 14 years. Therefore, an amount of Rs. 8.60 lacs were mutually settled including 04* 4 cheques of Rs. 4,02,702/- of the excess amount charged.

2. It was also agreed that the IFMS and stamp duty towards registration will be paid on receipt of Part Completion/ Occupancy Certificate from DTCP.

3. For necessary action."

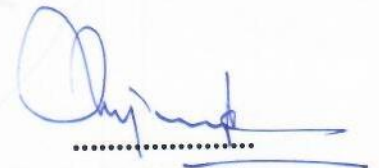
2. The respondent had already paid the settled amount by 28.06.2018. Now, the complainant has filed the present complaint on account of non-obtaining the part completion certificate and not offering possession of the plot till date. He also pleaded that the project of the respondent is not registered. Therefore, he prays for delay compensation for not offering possession by the respondent in stipulated time.



3. Today, counsel for the respondent admitted that they had complied partially with the settlement and they were bound by above stated settlement to offer the possession within a reasonable period of time.

4. After consideration of the matter, the Authority observes that as the matter has already been disposed of on 10.07.2018 by way of settlement arrived at between the parties whereby the respondent has already partially complied with the terms of the settlement but offer of possession of the plot has not been made even now. Since, no offer of possession has been made to the complainant even after lapse of 9 months, the Authority directs the respondent to pay the further delay compensation from the date of settlement till the actual date of offer of possession at the rate of interest provided under Rule 15 of HRERA Rules, 2017. Learned counsel for respondent consented to act accordingly.

5. Complaint is disposed of accordingly and file be consigned to record room.



.....
RAJAN GUPTA
[CHAIRMAN]



.....
ANIL KUMAR PANWAR
[MEMBER]