



Real Estate Regulatory Authority

Government of Himachal Pradesh

Complaint Application

Application No.

CTA0520240002

printed : 08-09-2024 08:24 AM

Complaint Details

Complaint Subject	Bungalow No. 3, Block No.1 Housing Project Kasauli Paraiso, Kasauli, District Solan
Facts of the complaint	<p>(i) That the respondent who is stated to be absolute owner of land comprising Khata/Khatauni No. 45Min/56Min, Khasra No. 208/118, Total measuring 408 sq. meters, situated at Mauza Chhatyan, Pargana Dharti, Hadbast No. 157, Tehsil Kasauli, District Solan, Himachal Pradesh issued an advertisement for allotment of built up Bungalow (S) i.e. Block No. 1, and Block No. 2 as per approved Map (As per site the numbering of Bungalow is 3 and 4, the building / structure of which was stated to be approved from Town and Country Planning Department, Himachal Pradesh vide order no. 02202000727 dated 16.12.2020 in Housing Project "Kasauli Paraiso"). The true photocopy of the application form dated 07.07.2022 is appended herewith as Annexure C-1. The complainant(s) had agreed to purchase one Bungalow/Apartment in "KASAULI PARAISO", Kasauli (H.P.) measuring Carpet Area 170.50 sq. Mts. and Super Area 2178 Sq. Feet approx. situated at Mauza Chhatyan, Pargana Dharti, Hadbast No. 157, Tehsil Kasauli, District Solan, Himachal Pradesh. An agreement for sale dated 15.07.2022 was executed between the complainant(s) and respondent(s) for sale of the aforesaid Bungalow on the basic sale price of Rs. 96,00,000/- (Rupees Ninety Six Lakhs only) and Society Charges Rs. 4,82,549/- (Rupees Four Lakhs Eighty Two Thousand Five Hundred and Forty nine only) + GST, Registration Charges, Stamp Duty and other applicable statutory levies /taxes/charges etc. as per government norms to be paid by the complainants/intending allottee's. It is pertinent to mention here that the complainant(s) / buyer(s) paid Rs. 66,00,000/- (Rupees Sixty Six Lakhs only) prior to the date of execution of the said agreement to sell and the balance of basic sale price Rs. 30,00,000/- (Rupees Thirty Lakhs only) and Society Charges Rs. 4,82,549/- (Rupees Four Lakhs Eighty Two Thousand Five Hundred and Forty nine only) + GST were to be paid by the complainant(s) as per the "Payment Plan" set out in Annexure B attached with the said agreement to sell dated 15.07.2022. It is worthwhile to mention here that as per the said agreement to sell, the respondent (s) was to grant full/final possession of allotment of said Bungalow till 31st December, 2022 with mutual agreed three months grace period from the final possession time line for certain unavoidable circumstances as set out in the agreement to sell. The true photocopy of the agreement to sell dated 15.07.2022 is appended herewith as Annexure C-2. The true photocopy of the receipts amounting to Rs. 66,00,000/- duly issued by the respondent (s) to the complainant(s) are annexed herewith as Annexure C-3.</p> <p>(ii) That the complainant(s) had also entered into an agreement of interior designing and furnishing with respondent no. 2 for designing and furnishing of the said apartment/flat/bungalow no. 3, block no.1, Kasauli Paraiso against Rs. 1,04,00,000/- (Rupees One Crore and Four Lakhs only) and the same was paid by the complainant(s) vide cheque no. 000217 drawn at HDFC Bank. The true photocopy of the agreement dated 26.04.2022 is annexed herewith as Annexure C-4 and the true Photocopy of the Allotment Letter dated 15.07.2022 is annexed herewith as Annexure C-5. The true photocopy of the receipts amounting to Rs. 1,04,00,000/- duly issued by the respondent (s) to the complainant(s) are annexed herewith as Annexure C-6.</p> <p>(iii) That as per the terms for the agreement to sell dated 15.07.2022, the respondent(s) raised demands of rest of the consideration amount as per the Payment Plan set out in the agreement to sell by way of e-mail (s) to the complainant (s). The complainant (s) paid the entire amount as per the demands of the respondent(s). The deadline for full and final physical possession of the said Bungalow was set out to be 30.06.2023 in the communications sent by the respondent(s). It will not be out of place to mention here that the complainant(s) deposited the entire amount as and when demanded by the respondent(s). The true photocopies of the communications alongwith receipts of the amount so deposited by the Complainants with the Respondents in this regard are annexed herewith as Annexure C-7 (colly).</p> <p>(iv) That the complainant(s) vide a number of oral, written and electronic communications requested the respondent(s) to grant the full and final physical possession of the said Bungalow which was to be granted on or before 30.06.2023, however, the respondent(s) has neither granted the full and final physical possession of the said Bungalow to the complainant(s) nor has paid any compensation for the inordinate delay having been caused due to the fault on the respondent(s). The true photocopies of some of such</p>

	<p>communications sent by the complainant(s) duly addressed to the respondent(s) are annexed herewith as Annexure C-8 (colly).</p> <p>(v) That the said apartment/flat/bungalow no. 3, block no.1, Kasauli Paraiso, is situated in the revenue Estate of Kasauli, District Solan and as such the present case is amenable to the jurisdiction of this Hon'ble Authority.</p> <p>(vi) That the present complaint is well within limitation.</p> <p>(vii) That the required court fee has been affixed with the present complaint.</p>
Reliefs Sought	<p>In view of the facts mentioned in paragraph 4 above, the complainant prays for the following relief(s): To grant the actual physical possession of the said Bungalow No. 3, Block No.1 complete in all respects as per the above stated agreements dated 26.04.2022 and 15.07.2022, in Housing Project Kasauli Paraiso, Kasauli, District Solan (Himachal Pradesh) forthwith to the complainant.To grant compensation on the delayed possession of the said Bungalow.To grant exemplary costs to the complainant....</p>













Complainant Details

	Personal Info	Contact Details	Address	Notice Address
1.	SUMEET SUD Father : Sh. VINOD KUMAR SUD Type : Allottee	9650141867 sumeetsud@gmail.com	F-804, The Residency, Ardee City, Gate No. 2, Sector 52, Gurgaon, Haryana, 122011	F-804, The Residency, Ardee City, Gate No. 2, Sector 52, Gurgaon, Haryana, 122011



Respondent Details

	Personal Info	Contact Details	Address	
1.	RAJDEEP SHARMA Type : Agent Category : Individual	8860700039 info@rajdeepandcompany.com	SCO 12, FIRST FLOOR, HOLLYWOOD PLAZA, VIP ROAD, ZIRAKPUR, Mohali, Punjab, 140603	
2.	RAJDEEP AND COMPANY INFRASTRUCTURE PRIVATE LIMITED Type : Project Category : Non-Individual RERA Reg No : RERAHPSOP11200092	8860700039 sanjeet@rajdeepandcompany.com	SCO 12, FIRST FLOOR, HOLLYWOOD PLAZA, VIP ROAD, ZIRAKPUR, Mohali, Punjab, 140603	

Documents relied upon by the complainant and referred to in the complaint

1.	Agreement	 
2.	Receipts	 
3.	Agreement Interior	 
4.	Communication	 
5.	Allotment Letter	 
6.	Application Form & Cheques	 

Other Documents as annexed along with the complaint

1.	Complaint	 
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Declaration

Jurisdiction of the Authority

I **SUMEET SUD** declare that the subject matter of the claim falls within the jurisdiction of the authority.

Complaint not pending with any other Court

Whether this Complaint is pending with any other court, etc.? : **No**

I **SUMEET SUD** declare that the matter regarding which this complaint has been made is not pending before any court of law or any other authority or any other tribunal(s).

Declaration and Verification

I **SUMEET SUD, S/O Sh. VINOD KUMAR SUD** do hereby verify that the given details are true to my personal knowledge and belief and that I have not suppressed any material fact(s).

Place : **Solan**

Date : **16/05/2024**

Registration Fee

Fee Amount

₹ 500

Payment Status :  **Payment Received**

Payment Mode : **Online**

Transaction No. : **HPR050520240001**

Transaction Date : **05/05/2024 12:25 PM**

Bank Details : **SBIN~412649114736**