

NOTICE

CONSUMER COMPLAINTS FILED BY ALLOTTEES OF SECTOR-114, MOHALI BEFORE STATE CONSUMER DISPUTE REDRESSAL COMMISSION, PUNJAB CHANDIGARH

1. Following Consumer Complaints filed by the allottees of Sector-114, Mohali before State Consumer Dispute Redressal Commission, Punjab Chandigarh:-

- (a) CC No 516 of 2019 filed by Lt Col Moolraj Singh Sarmal Vs AWHO.
- (b) CC No 575 of 2019 filed by Col Jaimal Sandhu Vs AWHO.
- (c) CC No 745 of 2019 filed by Hav Kushal Singh Vs AWHO.
- (d) CC No 746 of 2019 filed by Lt Col Jai Ram Kathiyal Vs AWHO.

2. Above mentioned Consumer Complaints have been dismissed by the Hon'ble Commission on 07 Sep 2020 on the following grounds:-

- (a) The cause of delay in handing over of DUs could be attributed to reasons beyond the control of AWHO.
- (b) AWHO has charged the interest on delayed payment which was very nominal but on the other hand AWHO had also given the rebate to the allottees which is an unique factor not subscribed by other builders.
- (c) AWHO had not forcefully given the possession to the complainants.
- (d) The payment of installments were delayed in sync with the progress of the project.
- (e) **Occupation Certificate**. AWHO has requested to the concerned authority several times for issuance of Completion / Occupation Certificate, but owing to some technical difficulties the same was not issued by GMADA. Complainants in dire need of OC, could have applied for the same under Section 14 (i) of PAPRA. The PAPRA Act also lays the onus of requisitioning OC on the allottees similarly as the builder / developer.
- (f) AWHO being a 'no profit no loss' organisation is totally different from other builders and Hon'ble Commission cannot consider all builders in the same stride.
- (g) The plea of Complainant regarding compensation was not tenable, as complainant failed to prove on record any deficiency in service or unfair trade practice on the part of AWHO.
- (h) The complainant had taken over the physical possession of the DU without any protest.