

M/s JWB Corporate Solutions Vs. M/s Vikas Parks Pvt. Ltd.  
CM Nos.1104 and 1105 of 2025  
in Appeal No.735 of 2025

Present: Mr. Aashish Chopra, Sr. Advocate assisted by  
Mr. Rahul Bhardwaj, Advocate,  
Mr. Gagandeep Singh, Advocate,  
for the appellant.

Present appeal is directed against order dated  
15.07.2025 passed by the Authority<sup>1</sup>. Same reads as follows:

*“The present complaint was filed on 24.07.2024  
and reply with application for early hearing and  
vacation of status quo order by respondent was  
received on 09.09.2024.*

*Arguments heard.*

*Cancellation is upheld.*

*The respondent is directed to refund the paid-up  
amount to the complainant after deducting 10% of the  
basic sale consideration being earnest money along  
with interest on such balance amount at the rate of  
11.10% as prescribed under rule 15 of the Rules, from  
the date of termination/cancellation till its realization.  
However, no interest shall be paid on the amount  
deposited by the complainant after cancellation.*

*Detailed order will follow. Matter stands  
disposed of.*

*Ashok Sangwan  
Member*

*Arun Kumar  
Chairman  
15.07.2025”*

Mr. Chopra has expressed his apprehension that in  
light of aforesaid order, the respondent-promoter who has floated  
the project in the name and style of ‘Hero Homes Tower 8’ may  
create third party rights in the flats in question. As per him, the  
order was passed on 15.07.2025. Despite lapse of one month,  
detailed order has not been passed till date. Reasoning given for  
upholding the cancellation of flats is, thus, not known. He has  
emphasized that the allottee(s) had remitted more than 10% of the

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<sup>1</sup> Haryana Real Estate Regulatory Authority Gurugram

basic sale consideration when the promoter suddenly resorted to drastic step of cancelling the flats in question ignoring Clause 9 of the Agreement for Sale.

Appeal be registered.

Issue notice for 08.09.2025.

Notice re: stay as well.

In the meanwhile, in case any third party rights are created in respect of the flats in question, it shall be subject to the decision of this appeal.

As the detailed order has not been passed till now, the law laid down by the Hon'ble Supreme Court in *Civil Appeal No. 11000 of 2024 titled as Ratilal Jhaverbhai Parmar and Ors. Vs. State of Gujarat and Ors. decided on 21.10.2024*, be kept in mind by the Authority.

A copy of this order be forwarded to the Secretary HRERA, Gurugram today itself.

Respondent-promoter shall ensure that the gist of this order is displayed prominently on its web portal forthwith. Secretary HRERA, Gurugram to ensure compliance.

Photocopy of this order be placed in files of Appeal Nos. 736 of 2025, 743 to 752 of 2025.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Rakesh Manocha  
Member (Technical)

19.08.2025  
Rajni