



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1366 OF 2019

Sunil Kumar

....COMPLAINANT(S)

VERSUS

M/S Parsvnath Developers Ltd.

....RESPONDENT(S)

CORAM:

Rajan Gupta

Chairman

Anil Kumar Panwar

Member

Dilbag Singh Sihag

Member

Date of Hearing: 12.02.2020

Hearing: 3rd

Present: -

Mr. Mukesh Kohli, On behalf of complainant

Ms. Rupali S. Verma, Counsel for respondent

ORDER (ANIL KUMAR PANWAR - MEMBER)

1. An order of refund was passed by this Authority on 02.04.2019 in complaint no. 503 of 2019 directing the respondent to pay ₹13,50,000/- along with interest to complainant Mr. Sunil Kumar. The complainant has filed the present complaint averring that the order of refund needs to be

rectified so as to reflect the amount of refund as ₹23,21,440/- instead of ₹13,50,000/-.

2. The respondent in his reply has averred that complainant had in fact paid a sum of ₹21,89,700/- and not ₹23,21,440/-. So, the Authority on the previous date has observed that rectification of the order to the extent of reflecting the refund amount as ₹21,89,700/- is justified. The complainant could not furnish any proof regarding the payment of remaining amount of ₹1,31,740/- and the case was thus adjourned for today with a direction that proof regarding payment of ₹1,31,740/- be produced on record.

3. The complainant has today not appeared and Mr, Mukesh Kohli, who himself is a complainant in another complaint case no. 1446 of 2019, has appeared on his behalf claiming that complainant had instructed him to appear in the present case. When Mr. Mukesh was asked to show the proof regarding payment of ₹1,31,740/- to the respondent company, he could not show to the Authority any document in support of payment of said amount.

4. So, there is no scope to hold that the complainant had paid ₹1,31,740/- and the only inevitable conclusion is that the complainant had paid only a sum of ₹21,89,700/- to the respondent.

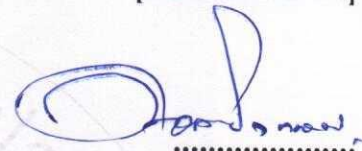
Resultantly, the review application is allowed to the extent of reflecting the amount of refund as ₹21,89,700/- instead of ₹13,50,000/-. The

respondent is accordingly directed to refund the amount of 21,89,700/- along with interest @ prescribed in Rule 15 of HRERA Rules to the complainant.

5. **Disposed of.** Files be consigned to record room and order be uploaded on the website of the Authority.



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RAJAN GUPTA
[CHAIRMAN]



.....
ANIL KUMAR PANWAR
[MEMBER]



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DILBAG SINGH SIHAG
[MEMBER]

