



HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.

Mini Secretariat (2nd and 3rd Floor), Sector-1, Panchkula.

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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 19.02.2025.

Item No. 279.45

Complaint against unauthorised sales of plots by developers under License No. 58 of 2018.

Promoter: Shri Balaje Builders.

Project: "Balaji Enclave" an affordable residential plotted colony on area measuring 9.131 acres in sector 8, Charkhi Dadri.

Reg. No.: HRERA-PKL-BHW-222-2020 dated 08.12.2020 valid upto 26.08.2023, first extension and general extension granted upto 26.11.2024, second extension granted upto 26.11.2025.

Present: Sh. Virender Tarun on behalf of the complainant, Ms. Shweta Beniwal on behalf of the promoter

1. A complaint has been received on 22.07.2024 from Sainik Welfare Organization India wherein the complainant has made the following allegations:

- a. Sales are being executed without adherence to the conditions given out in license no. 58 of 2018;
- b. The development work at the project site has not been completed ever after 6 years of grant of license;
- c. The partners of the promoter firm are selling out the approved plots without any consent of the Trust.

The complainant requests to give necessary directions to the revenue authorities at Charkhi Dadri for not executing any sale deeds presented by the promoters and departmental inquiry/investigation be conducted and till that time further issue of completion certificate be withheld.



2. At the time of registration, the promoter had submitted a copy of layout plan duly showing the plots coming to the share (20%) of the landowners/licensee, i.e., Plot no. 11-17, 29-34, 37-43, 53-64.

S.no	Particulars	Date
1	Partnership deed (Three Partners)	05.06.2008
2.	License no. 42 of 2012	05.05.2012
3.	MOU (between three partners and Trust-Complainant)	30.05.2012
4.	New Partnership deed (five Partners)	14.10.2015
5.	License no. 58 of 2018 (after migration from 48 of 2012)	27.07.2018
6.	RERA Reg. no. 222 of 2020	08.12.2020

3. On the last date hearing, i.e., 08.01.2025, Authority imposed cost of Rs. 1 lac on the promoter for non-appearance. A copy of reply dated 03.01.2025 be given to complainant. Reply submitted be examined. All the partners and compliant be personally present on the next date of hearing.

4. The copy of reply has been sent to the complainant on 3rd Feb' 25. Vide reply dated 03.01.2025, the promoter has stated that the complainant has filed false and frivolous complaint just to harass the promoter. Complainant has no locus standi to file the complaint in the capacity of founder settler & chairman of Sainik Welfare Organization India, reason being that in March 2019 complainant has resigned and separated himself from the roles and responsibilities. The organization had failed to comply and fulfil the terms undertaken vide MOU dated 30.05.2012 leading to revocation of MOU, further the payments received by the promoter was refunded in favor of the said organization and new partnership deed was executed and migrated to new license no. 58 of 2018.

5. After hearing the arguments of both the parties, the Authority is of the view that since the partners of the promoter firm are selling the approved plots without consent of the Trust (i.e. complainant) and basis for this is a Memorandum of Understanding (MOU) signed between the partners & the complainant. It is a civil matter and the parties are directed to avail other available legal remedies in accordance with law.

6. **Disposed of.**



True copy

Executive Director,
HRERA, Panchkula

A copy of the above is forwarded to CTP, HRERA Panchkula, for information and taking further action in the matter.

LA (Monika)

Abhishek
12/03/25