



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA
Website: www.haryanarera.gov.in

COMPLAINT NO. 918 OF 2021

Ramesh Chander

....COMPLAINANTS(S)

VERSUS

M/s Jagran Developers Pvt Ltd

....RESPONDENT(S)

CORAM: Rajan Gupta
Dilbag Singh Sihag

Chairman
Member

Date of Hearing: 19.07.2022

Hearing-6th

Present: None for complainant

Mr. Drupad Sangwan, Counsel for the Respondent through VC.

ORDER: (RAJAN GUPTA-CHAIRMAN)

Captioned complaint was filed by the complainant before the Adjudicating Officer on 25.08.2021 for relief of refund of paid amount alongwith interest. Notice dated 27.08.2021 was issued to respondent to file his reply and case was listed for first hearing on 29.09.2021.

2. As per office record, respondent had filed his reply in registry of the Authority on 26.10.2021. Copy of same was supplied to complainant on 27.10.2021, however no one appeared on behalf of complainant in any of the 4 hearings. Vide order dated 09.03.2022 the case was transferred by Ld. Adjudicating Officer to this Authority for appropriate orders. Relevant part of the order is reproduced below:-

In view of observations of Hon'ble Apex Court in CWP No(s) 6745-6749 of 2021 titled as Newtech Promoters and Developers Pvt. Ltd. vs. State of UP and others and observations of Hon'ble Punjab & Haryana High Court in CWP No. 6688 of 2021 titled as Ramprastha Promoters and Developers Pvt. Ltd. vs. Union of India and others, resolution has been passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 31.01.2022, the relevant para is reproduced below:

"In view of above interpretation and reiteration of law by Hon'ble Supreme Court and Hon'ble High Court, Authority resolves to take up all complaints for consideration including the complaints in which relief of refund is sought as per law and pass appropriate orders. Accordingly, all such matters filed before the Authority be listed for hearing"

4. *Sequel to said resolution passed by Hon'ble Authority, the present complaint in which relief of refund has been sought by the complainant, be placed before Hon'ble Authority for appropriate orders on 06.04.2022. Both the parties are directed to appear along with their respective counsel before Hon'ble Authority on the date fixed.*

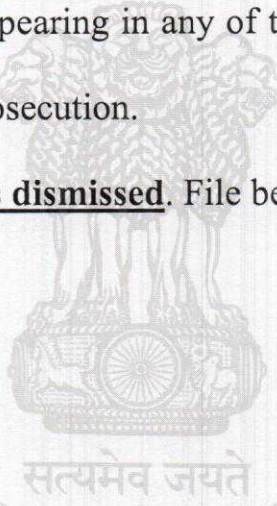
AO (Petitions) shall place this complaint before Hon'ble Authority



3. Thereafter, this case was listed for hearing before the Authority on 29.06.2022. On that day again no one appeared on behalf of complainant. therefore the case adjourned for arguments on 19.07.2022. Today, case was called but again no one appeared on behalf of complainant.

4. Now the fact is that no one has appeared on behalf of complainant in any of last 6 hearings. It seems like complainant is not interested in prosecuting his case. In these circumstances, Authority observes that complainant has failed to prosecute his case by not appearing in any of the last 6 hearings, therefore, this case is dismissed for non-prosecution.

5. Case is **disposed of as dismissed**. File be consigned to record room.




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RAJAN GUPTA
[CHAIRMAN]


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DILBAG SINGH SIHAG
[MEMBER]