



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 677 OF 2021

Kiran Khyalia & Anr.

...COMPLAINANT(S)

VERSUS

M/s Parsvnath Developers Ltd.

....RESPONDENT(S)

CORAM:

**Rajan Gupta
Dilbag Singh Sihag**

**Chairman
Member**

Date of Hearing: 15.07.2022

Hearing: 8th

Present: - Ms. Rubai J. Singh learned counsel for the complainant
None for the respondent

ORDER (DILBAG SINGH SIHAG- MEMBER)

1. While perusing the case file, it is revealed that complaint case no.526 of 2020 was disposed of by the Authority on 31.03.2021. Respondent was directed to pay upfront interest of Rs 33,36,525/- (Rs 32,59,918 + 76,607/-) vide said order and also directed to pay monthly interest till handing over the

possession of the flat. Since said order has not been complied with by the respondent, complainant has filed execution complaint for the execution of the order dated 31.03.2021.

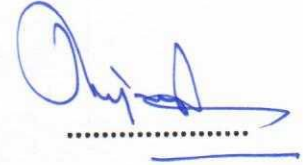
2. On 21.09.2021, Bank account of the respondent for the recovery of Rs 33,36,525/- along with monthly interest was ordered to be attached but no information was received from the bank wherein bank has made the attachment of the bank account in question and remitting the decretal amount. Thereafter, case was adjourned for payment of decretal amount. Vide order dated 07-04-2022, last opportunity was given to the respondent to make entire payment failing which Authority will initiate legal proceedings under order 21 Rule 47 CPC. But the respondent had again failed to comply with the orders under execution till this date.

3. In this background, during the course of hearing, learned Counsel for the complainant has submitted that unsold inventory of apartments of the respondent promoter is available and the same maybe put to auction. Authority has directed to attach the two apartments, out of unsold inventory, of the same project "Parsvnath Royale Panchkula" and Authority may be apprised accordingly. Therefore, attachment warrant shall be sent to District Collector, Panchkula for attaching of those apartments.

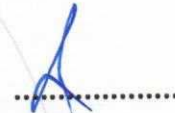
Along with the said amount of interest i.e., Rs 33,36,525/-, respondent is also directed to pay delay interest apart from this principal amount of Rs. 33,36,525/- and the same has got calculated by the Accounts branch of the

Authority from the date of the said order till today i.e., 31.03.2021 to 15.7.2022, which works out to be Rs 4,22,834/- as per Rule 15 of HRERA Rules, 2017. Thus, respondent is liable to pay total amount of Rs 37,59,359 (Rs 33,36,525/- + Rs 4,22,834/-).

4. Adjourned to 29-09-2022



RAJAN GUPTA
[CHAIRMAN]



DILBAG SINGH SIHAG
[MEMBER]

