



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: [www.haryanarera.gov.in](http://www.haryanarera.gov.in)

COMPLAINT NO. 13 OF 2022

Puneet Sharma

....COMPLAINANTS

VERSUS

Parsvnath Developers Ltd.

....RESPONDENTS

CORAM:

Rajan Gupta  
Dilbag Singh Sihag

Chairman  
Member

Date of Hearing: 13.07.2022

Hearing:

4<sup>th</sup>

Present:

Mr. Chaitanya Singhal, learned counsel for the complainant  
through video conference

Ms. Isha, learned counsel for the respondent through video  
conference

### ORDER (DILBAG SINGH SIHAG - MEMBER)

1. While perusing case file, it is observed that this complaint has been filed for execution of orders dated 08.09.2021 passed in complaint no. 716 of 2021 titled as Puneet Sharma Versus Parsvnath Developers Ltd. whereby

respondent was ordered to pay to the complainant delay interest of ₹6,20,130/- and further monthly interest of ₹5,506/- till valid offer of possession of booked flat of the complainant in project named 'Parsvnath Preston, Sonipat' is made to him. Said monthly interest till today has worked out to ₹55,060/- (₹5,506/- \*10).

2. Learned counsel for the complainant categorically submitted during hearing that no settlement has been arrived at between the parties nor any payment has been made by the respondent till date. Therefore, he requested for attachment of respondent's property under Section 40 of RERA Act so that decree passed in favour of complainant may be satisfied.

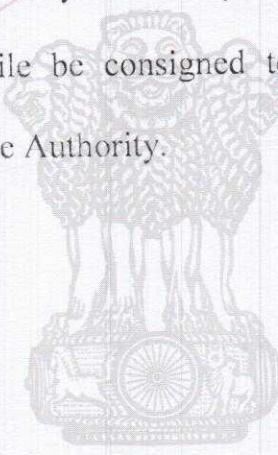
3. On the other hand, learned counsel for the respondent stated that bank accounts of the respondent company were not operational as they have been attached by some other Courts due to which company is not able to make any payment to the complainant today. However, she sought time to comply with orders under execution.

4. After hearing both parties, Authority observes that this is fifth hearing of the matter but respondent failed to execute the orders of the Authority till date. He has not put forth any justifiable cause for non-implementation of orders of the Authority. This non-serious and casual conduct of the respondent should not be encouraged nor accepted. So, Authority decides to explore other remedy to satisfy the decree holder/complainant. Authority in exercise of powers conferred on it by Section 40 of The Real Estate (Regulation



and Development) Act, 2016 and Rule 27 of Haryana Real Estate (Regulation and Development) Rules, 2017, to recover decreed amount as arrears of land revenue and execute its orders as decree of a Civil Court, decides to issue a recovery certificate against the company addressed to District Collector, Sonapat with an order to recover decreed amount of ₹6,75,190/- (Principal amount ₹6,20,130/-+ interest of ten months ₹55,060/-) from the respondent as arrears of land revenue and remit the same to the Authority after such recovery for further payment to the complainant. The District Collector shall send a compliance report to this Authority. Necessary action be accordingly taken.

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



सत्यमेव जयते

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RAJAN GUPTA  
[CHAIRMAN]

.....  
DILBAG SINGH SIHAG  
[MEMBER]