



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 994 OF 2020

Vishal Verma

....COMPLAINANT

VERSUS

M/s Piyush Buildwell India Ltd.

....RESPONDENT

2. COMPLAINT NO. 995 OF 2020

Manish Tripathi

....COMPLAINANT

VERSUS

M/s Piyush Buildwell India Ltd.

....RESPONDENT

CORAM:

**Rajan Gupta
Dilbag Singh Sihag**

**Chairman
Member**

Date of Hearing: 09.08.2022

Hearing: 14th

Present:

Ms. Aishwarya Dobhal, Id. Counsel for the complainants (in both complaints)

Mr. Gaurav Gupta, proxy counsel for the respondent through VC

ORDER (RAJAN GUPTA-CHAIRMAN)

Complainants in the captioned complaints have already taken possession of their apartments. Now, prayer in both complaints is to get conveyance deeds executed in their favour.

2. The case of the complainants is that they have already paid entire sale consideration. Learned counsel for complainants has placed on record additional affidavit along with copies of receipts/documents proving that total sale consideration and balance due has already been paid to the respondents. Further, possession after receipt of entire sale consideration was voluntarily handed over by respondents to the complainants. Complainants are enjoying peaceful possession of their apartments since the year 2015. Copy of possession letter dated 01.04.2015 has been placed on record along with complaint at page no.24.

3. Respondents have filed only a standardised reply denying in broad terms the payments having been made by complainants or possession having been lawfully handed over to them. Respondents have tried to state that documents presented by complainants are forged. Nothing at all has been placed on record by respondents in support of their arguments. Learned counsel for respondent has admitted all the payments which are made through bank. It is further stated that respondent is ready and willing to execute conveyance deeds in favour of



complainants/allottees subject to the condition that they will clear all outstanding dues. Today, Sh. Gaurav Singla, learned counsel for respondents is not present. His proxy counsel sought adjournment.

4. Authority has gone through facts placed on file as well as verbal submissions submitted by both parties. It is observed that sufficient opportunities have been given to the respondents to produce documentary evidence in support of their contentions. Respondent has failed to produce any documentary evidence till date. Learned counsel for complainants has already placed on record receipts/documents proving that total sale consideration and balance due have already been paid by complainants. Though complainants have paid entire consideration amount and possession has also been handed over to them, yet they are waiting for execution of conveyance deeds in their favour. They cannot be force to wait more for their rights. Therefore, it is concluded that when possession of respective flats was handed over, all the accounts between the complainants/allottees and the respondents would have been settled. Respondent would not have handed over possession without receipt of entire due amounts. Accordingly, Authority will not take cognizance of mere verbal statements of counsel of the respondent that complainants have placed on record forged documents. In the light of this fact, complainants have acquired a right to get conveyance deeds executed in their favour immediately. Authority is therefore inclined to order execution of conveyance deeds in favour of both the complainants.



5. Respondent is hereby directed to participate in getting conveyance deeds executed either by presenting themselves or by authorising a senior officer of the company to do the needful on their behalf within 45 days from uploading of the order on the website of the Authority.

6. With these directions, cases are **disposed of**. Files be consigned to record room.



.....
(RAJAN GUPTA)
CHAIRMAN



.....
(DILBAG SINGH SIHAG)
MEMBER

