

Complaint no. 279,2914,2915, of 2019, 1002,
1305, 314,1316,1353,1354,1450,1451
of 2020, 2,64,65,,212,213, 214,216
217,218, 219,220,221,222,348,579
, 855,892 , 1250 of 2021

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 2914 OF 2019

Kapil Arora & Anr

....COMPLAINANT(S)

VERSUS

Asian Developer Ltd.

....RESPONDENT(S)

2. COMPLAINT NO. 2915 OF 2019

Virender Kumar

....COMPLAINANT(S)

VERSUS

Asian Developer Ltd.

....RESPONDENT(S)

3. COMPLAINT NO. 1002 OF 2020

Sunita Devi Through Shri Parmanand

....COMPLAINANT(S)

VERSUS

Asian Developer Ltd.

....RESPONDENT(S)

4. COMPLAINT NO. 1305 OF 2020

Narender Yadav

....COMPLAINANT(S)

VERSUS

Asian Developer Ltd.

....RESPONDENT(S)

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5. COMPLAINT NO. 1314 OF 2020

Manish RaoCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

6. COMPLAINT NO. 1316 OF 2020

MahabirCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

7. COMPLAINT NO. 1353 OF 2020

Shakti Singh YadavCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

8. COMPLAINT NO. 1354 OF 2020

Sushila Tiwari & AnrCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

9. COMPLAINT NO. 1450 OF 2020

SumitraCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

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10. COMPLAINT NO. 1451 OF 2020

Sunil KumarCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

11. COMPLAINT NO. 2 OF 2021

Manoj Kumari YadavCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

12. COMPLAINT NO. 64 OF 2021

Mahipal Singh NegiCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

13. COMPLAINT NO. 65 OF 2021

Anupam Kumar ThakurCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

14. COMPLAINT NO. 212 OF 2021

Sumit KumarCOMPLAINANT(S)

VERSUS

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15. COMPLAINT NO. 213 OF 2021

Harendra Kumar SinghCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

16. COMPLAINT NO. 214 OF 2021

Nitin YadavCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

17. COMPLAINT NO. 216 OF 2021

Vikas Kumar JhaCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

18. COMPLAINT NO. 217 OF 2021

Vishal AnandCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

19. COMPLAINT NO. 218 OF 2021

Mukesh Kumar JhaCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

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20. COMPLAINT NO. 219 OF 2021

Pradeep Singh Bisht & Kavita BishtCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

21. COMPLAINT NO. 220 OF 2021

Anamika ChakravortyCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

22. COMPLAINT NO. 221 OF 2021

Paras Goel & Deepa GoelCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

23. COMPLAINT NO. 222 OF 2021

Abhijeet Kumar MishraCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

24. COMPLAINT NO. 348 OF 2021

Versha Negi & Mohita NegiCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

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25. COMPLAINT NO. 579 OF 2021

Mahabir SinghCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

26. COMPLAINT NO. 855 OF 2021

Nisha DeviCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

27. COMPLAINT NO. 892 OF 2021

Ram Mehar SinghCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

28. COMPLAINT NO. 892 OF 2021

Martin MinjCOMPLAINANT(S)

VERSUS

Asian Developer Ltd.RESPONDENT(S)

29. COMPLAINT NO. 279 OF 2020

Abhey Raj RustagiCOMPLAINANT(S)

VERSUS

Saera Auto India Pvt Ltd.RESPONDENT(S)

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30. COMPLAINT NO. 1104 OF 2021

Sulekha Dixit

....COMPLAINANT(S)

VERSUS

Asian Developer Ltd.

....RESPONDENT(S)

CORAM:

**Rajan Gupta
Dilbag Singh Sihag**

**Chairman
Member**

Date of Hearing: 04.08.2022

Hearing:

5th(*in complaint no.1002,1305,13141,1316 of 2020,
2 2021*)

9th(*in complaint no. 64,65,212,213, 214,216,217,
218,219,220,221,222,348 of 2021*)

8th (*in complaint no. 579 of 2021*)

6th (*in complaint no. 855 & 892 of 2021*)

7th (*in complaint no. 2914 & 2915 of 2019*)

4th(*in complaint no. 1353,1354,1450,1451of 2021*)

Present through: - Mr. Nikunj Hurria, Counsel for the complainants
video conferencing (*in complaint no. 64,65,212,213,214, 216,
217,218,219,220,221,222,348 & 892 of 2021*)

Mr. Akshat Mittal, Counsel for the complainants
(*in complaint no. 1002, 1353,1354, 1450 & 1451
of 2020, 2, 579 & 855 of 2021*)

None for the complainants

(*in complaint no. 2914&2915 of 2019,279/2020*)

None for respondent no. 1

Mr. Pranav Proothi, Counsel for respondent no. 2

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ORDER (DILBAG SINGH SIHAG-MEMBER)

1. Captioned complaints have been taken up together as grievances and facts involved are identical and against the same project of the respondent. Notice sent to the respondent no. 1 namely Asian developers Ltd for filing his reply but the same were never delivered in all complaints as respondent was not found at a given address where as notice sent to respondent no. 2 namely M/s Saera Auto India Ltd were successfully delivered. Despite efforts nobody appeared before Authority on behalf of respondent no. 1 till date. After making several attempts to seek reply of M/s Asian Developers Ltd Authority has proceeded ex-parte against respondent no. 1. vide order dated 24.02.2022 on account of their failure to appear.

2. During the course of hearing dated 28.06.2022, Authority had passed a detailed order after hearing submissions of both parties . Relevant part of said order is reproduced below for reference:

“14. Shri Proothi, learned counsel appearing on behalf of Respondent no 2 M/s SAERA Auto India Ltd. stated that in 24 complaints settlement has already been

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arrived at with the complainants. He further stated that respondent no. 2 M/s Saera Auto India Pvt Ltd is trying to arrive at settlement with remaining complainants also. Settlement so arrived at will be placed before the Authority on next date of hearing.

15. Authority observes that if complainants have agreed to settle the matter with M/s SAERA Auto India Ltd., then those complaints in which settlement is arrived at may not be possible to be pursued in the present form. Accordingly, all those complaints in which complainants have settled the matter with respondent No.2 M/s SAERA Auto India Ltd. will have to be disposed of as not maintainable in present form. Final decision in the matter, however, will be taken on the next date of hearing.

16. Shri Proothi, learned counsel for SAERA Auto India assured to place copies of settlement arrived at before Authority well before the next date of hearing.

17. Adjourned to **04.08.2022.**

2. Today, Shri Proothi, learned counsel for respondent no. 2 apprised the Authority that the matter in regard to captioned complaints has been amicably settled between respective

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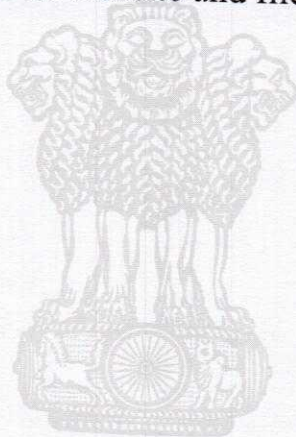
complainants in each of the cases and respondent no. 2 M/s Saera Auto India Pvt Ltd. He submitted that he will file deeds of settlement in all cases before the Authority within a week.

3. Mr. Nikunj Huria, learned counsel for complainant (*in complaint no. 64,65,212,213,214, 216, 217,218,219,220,221,222,348 & 892 of 2021*) and Mr. Akshat Mittal, learned counsel for complainant (*in complaint no. 1002, 1353,1354, 1450 & 1451 of 2020, 2, 579 & 855 of 2021*) agreed to the settlement and submitted that respondent be directed to file copies of settlement deed in each case.
4. Authority vide order dated 28.06.2022 had also observed that those complaint cases in which settlement is arrived at in respect of respondent no. 2, such cases cannot not be possible to be pursued in their present form and will have to be disposed of as not maintainable in present form. Therefore, in view of submissions of learned counsel for respondent no. 2, present complaints have become infructuous.

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5. Despite availing time, both parties have failed to file settlement deeds in the registry of office. Therefore, on the basis of the statement of learned counsel for respondent no. 2 i.e M/s Saera Auto India Ltd, above captioned cases are **disposed of** with a liberty to the complainants to approach the Authority for reopening of their complaint in case the terms of settlement are not met by respondent no. 2. Order be uploaded on website and files be consigned to record room.



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RAJAN GUPTA
[CHAIRMAN]

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DILBAG SINGH SHAG
[MEMBER]