

PROCEEDINGS OF THE DAY		14
Day and Date	Thursday and 15.09.2022	
Complaint No.	CR/669/2021/2389/2019 Case titled as VAIBHAV KUMAR BANSAL Vs AGRANTE DEVELOPERS PRIVATE LIMITED	
Complainant	VAIBHAV KUMAR BANSAL	
Represented through	Shri Vishal Verma, Advocate	
Respondent	AGRANTE DEVELOPERS PRIVATE LIMITED	
Respondent Represented	Shri Tarun Biswas, Advocate	
Last date of hearing	10.5.2022	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

File has been transferred from the court of Adjudicating Officer in view of the judgment dated 11.11.2021 passed by the Apex Court in the case titled **as M/s Newtech Promoters and Developers Pvt Ltd Versus State of U.P. and Ors.** as matters regarding refund and interest under sec 18(1) are to be decided by the authority and matters regarding adjudging compensation to be decided by the Adjudicating officer. CRA for refund has been filed by the complainant on 14.03.2022

The complaint bearing no. 2389 of 2019 has been received on 14.06.2019. For the aforesaid complaint only, new proforma B has been generated by the complainant bearing complaint no. 669 of 2021 on 04.02.2021. Therefore, the aforesaid complaints shall be clubbed together.

The counsel for respondent, Shri Tarun Biswas Advocate has appeared on the last date of hearing i.e., 10.05.2022 but no reply has been filed by the respondent till date. Sufficient opportunity has been given. On last date of hearing the respondent has put in appearance through Shri Sanjeev Thakur, G.M. Legal and Shri Satish Kumar, A.R. As per the submissions of both the



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
CR/669/2024/2389/2019

New PWD Rest House, Civil Lines, Gurugram, Haryana


नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

parties, the authority observed that the complainant surrendered his unit even before the commencement of the project therefore, the respondent was directed to return the amount of the complainant as per clause 5(iii)(h) of the policy.


The counsel for the complainant states at bar that an appeal No.464/2022 has been filed before the Appellate Tribunal.

An order has already been passed in the matter by the Authority and the case was listed for today for filing of compliance by the respondent. But the respondent has not yet complied the same and no amount has been refunded to the complainant inspite of specific directions of the Authority to this effect. However, the same has been impugned before the Tribunal by the complainant. The complainant may pursue the same before the Tribunal.

Complaint stands disposed off. File consigned to the registry.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member


Vijay Kumar Goyal
Member
15.9.2022