



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 75 OF 2018

Desh Raj Mangla

....COMPLAINANT

VERSUS

M/S Aerens Jai realty Pvt. Ltd.

....RESPONDENT

CORAM: Rajan Gupta
Anil Kumar Panwar
Dilbag Singh Sihag

Chairman
Member
Member

Date of Hearing: 28.02.2019

Hearing: 5th hearing

Present: - Shri Des Raj Mangla, Counsel for complainant

Shri Sourabh Goel, Counsel for respondent

ORDER (RAJAN GUPTA- CHAIRMAN)

This matter is listed for review of ex-parte orders passed by the Authority on 12.09.18 and 26.09.18 in the above-captioned complaint.

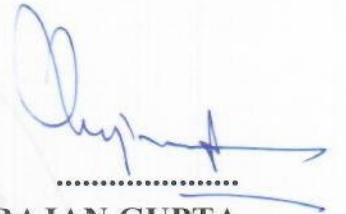
2 The respondent has filed an application with an averment that non-appearance of the respondent before the Authority on 12.09.18 and 26.09.18 was bonafide. The respondent had filed his reply on 03.08.18 but thereafter no notice was received either by the Counsel representing the respondent or the office of respondent. Thereafter, respondent received notice of another complaint no. 777 of 2018 filed before the Adjudicating officer, RERA, Panchkula. During the proceedings of the complaint no. 777 of 2018, the respondent came to know of the orders dated 12.09.18 and 26.09.18 wherein the Authority had passed ex-parte orders against the respondent. Hence, the respondent prays for review of the said order of the Authority.

3. The Authority observes that it has passed its final order and it doesn't have any power to review the same. A review lies only to correct an error apparent on the face of record. The Authority had made sufficient efforts to bring the respondent party on record. Record of the Authority shows that first notice in the above-mentioned complaint was sent to the respondent on 10.07.18 and same was received by respondent on 12.07.18. Second notice was sent to the respondent on 28.08.18 directing him to appear before the Authority on 12.09.18 and same was received by respondent on 30.08.18.



However, he did not appear before the Authority either on 12.09.18 or on the next date of hearing i.e. 26.09.18. Hence, it is observed by the Authority that the respondent had not been diligently pursuing the matter, and now at this stage the complainant cannot be made to suffer for the laxity on the part of respondent. In view of the above, this review application is **dismissed**.

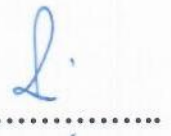
Order be uploaded on the website and files be consigned to the record room.



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RAJAN GUPTA
[CHAIRMAN]



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ANIL KUMAR PANWAR
[MEMBER]



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DILBAG SINGH SIHAG
[MEMBER]