



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 326 OF 2021

Anurag Sobhari

....COMPLAINANT

VERSUS

SRS Real Estate Ltd.

....RESPONDENT

2. COMPLAINT NO. 327 OF 2021

Amit Dagar

....COMPLAINANT

VERSUS

SRS Real Estate Ltd.

....RESPONDENT

CORAM:

**Rajan Gupta
Dilbag Singh Sihag**

**Chairman
Member**

Date of Hearing: 04.05.2022

Hearing: 6th

Present: -

Ms. Sakshi Chauhan, Id Counsel for the complainant
through VC
Respondent already ex-parte

ORDER (RAJAN GUPTA-CHAIRMAN)

Captioned complaints have been taken together as facts and grievances involved in both cases are similar in nature and against same respondent. Facts of complaint no. 326 of 2021 are taken into consideration for final disposal of these cases.

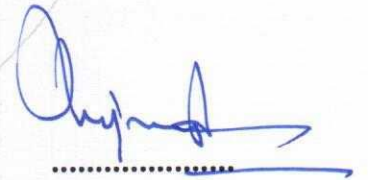
2. In brief, case of the complainant is that he was allotted a unit no. B3/A/908, 9th floor, with super area of 498.047 sq. ft. in "Palm Homes", Sector 7, Palwal, Haryana. A builder buyer agreement was executed between the parties on 16.01.2016, and as per agreement, possession was supposed to be offered within 48 months from date of approval of building/site layout plans, however, possession has not been offered by respondent company till date. Total basic sale price of the unit was ₹15,81,978/- against which complainant has paid an amount of ₹4,00,000/- to the respondent company. It is alleged by the complainant that despite taking payment of substantial amount, the respondent has failed to complete the project. Seeing no hope of completion of the Project, the complainant demand refund of the money along with interest.

3. Notice was sent to the respondent. Despite service of notice upon respondent through Jail Superintendent, respondent had opted not to appear before Authority and it was ordered to be proceeded against ex-parte.



4. In view of facts of the case, it is observed that complainant was allotted a unit bearing no. B3/A/908 measuring 498.047/- sq. ft. on 25.04.2015 for a total sale price of ₹15,81,978/-. Copy of allotment letter has been annexed at Annexure P/3, Page 29 of the complaint book. Builder buyer agreement dated 16.01.2016 was executed between both parties, copy of which has been placed on record at Annexure P/4. Complainant alleged that he paid an amount of ₹4,00,000/-, details of which have not been attached with file. During hearing, Authority has disposed of present cases allowing refund along with interest. However, due to lack of payment details, it is not possible for the Authority to calculate interest on the amounts paid by the complainants. For providing payment details, complainants were also informed via emails dated 10.05.2022 and 31.05.2022 but no information has been provided till date. Therefore, Authority decides to relist these cases for hearing providing opportunity to the complainants for submitting payment details along with receipts issued by the respondent.

5. Adjourned to 12.07.2022.



(RAJAN GUPTA)
CHAIRMAN



(DILBAG SINGH SIHAG)
MEMBER