

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No.117 of 2022

Date of Decision: 23.11.2022

Neha Agrawal, 2002, DB Woods, Tower B, Near Gokuldham,
Goregaon (East), Mumbai – 400063.

Appellant

Versus

M/s Parsvnath Developers Ltd. Parsvnath Tower, Near
Shahadara Metro Station, Shahadara, Delhi-110032, through
its Chairman Pardeep Jain.

Respondent

CORAM:

Shri Inderjeet Mehta,

Member (Judicial)

Shri Anil Kumar Gupta,

Member (Technical)

Present:

Shri Rajat Kapoor and Shri Rahul Makkar,
Advocates, learned counsel for the appellant.

Shri Yashvir Balhara, Advocate, learned
counsel for the respondent.

ORDER:

INDERJEET MEHTA, MEMBER (JUDICIAL):

Arguments heard.

2. Feeling aggrieved by the order dated 14.09.2021
handed down by the learned Haryana Real Estate Regulatory
Authority, Gurugram (hereinafter called 'the Authority'), in

Complaint No.CR-3484/2020 titled as “Neha Agrawal vs. M/s Parsvnath Developers Ltd”, vide which the complaint preferred by the appellant for assured return as well as delivery of possession was dismissed, the appellant has chosen to prefer the present appeal.

3. The impugned order passed by the learned Authority is as follows:-

“ The matter is sub-judice before the State Commission, Delhi in complaint No.CC/79/2018 filed by the complainant. The complainant cannot pursue the matter before two fora. The complainant may come after withdrawing the complaint from the State Commission, Delhi.

The present complaint stand dismissed. File be consigned to the registry.”

4. Learned counsel for the appellant has submitted that as per the observations made by the learned Authority in the impugned order, the appellant has withdrawn the complaint from the State Consumer Disputes Redressal Commission, New Delhi (for short ‘State Commission’).

5. Since, the appellant, as per the observations made by the learned Authority in the impugned order, has withdrawn the complaint from the State Commission, New Delhi; she may approach the learned Authority again for

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redressal of her grievances raised in the complaint preferred by her before the learned Authority. The appellant is at liberty to move an application for restoration of the complaint as soon as possible and the learned Authority is hereby directed to expeditiously dispose of the complaint preferred by the appellant within a period of two months.

6. Copy of this order be communicated to learned counsel for the parties/parties and the learned Authority for compliance.

7. File be consigned to record.

Announced:
November 23, 2022

Inderjeet Mehta
Member (Judicial)
Haryana Real Estate Appellate Tribunal,
Chandigarh

Anil Kumar Gupta
Member (Technical)

CL