



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: [www.haryanarera.gov.in](http://www.haryanarera.gov.in)

## 1. COMPLAINT NO. 2787 OF 2019

Sachin Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

## 2. COMPLAINT NO. 2788 OF 2019

Sachin Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

## 3. COMPLAINT NO. 2789 OF 2019

Savita Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

## 4. COMPLAINT NO. 2791 OF 2019

Sachin Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

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**5. COMPLAINT NO. 2792 OF 2019**

Sachin Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

**6. COMPLAINT NO. 2799 OF 2019**

Sachin Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

**7. COMPLAINT NO. 2800 OF 2019**

Savita Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

**8. COMPLAINT NO. 2801 OF 2019**

Savita Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

**9. COMPLAINT NO. 2805 OF 2019**

Savita Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

**10. COMPLAINT NO. 2806 OF 2019**

Savita Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

**11. COMPLAINT NO. 2815 OF 2019**

Savita Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

**12. COMPLAINT NO. 2816 OF 2019**

Savita Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

**13. COMPLAINT NO. 2817 OF 2019**

Sachin Thukral .....COMPLAINANT(S)

VERSUS

Rangoli Buildtech Private Limited. ....RESPONDENT(S)

**CORAM: Dr. Geeta Rathee Singh**

**Member**

**Nadim Akhtar**

**Member**



**Date of Hearing:** 20.12.2022

**Hearing:** 13<sup>th</sup>

**Present:** - None for complainant.  
Ms. Isha, Ld. counsel for the respondent.

**ORDER** (DR. GEETA RATHEE SINGH -MEMBER)

1. Authority, vide its orders dated 05.07.2022 had disposed of all the above-mentioned 13 complaints (i.e., complaint no's 2817,2787,2791,2792,2799,2816,2815,2806,2805,2801,2800,2789 & 2788 of 2019) by taking complaint no. 2788/2019 titled "*Sachin Thukral versus Rangoli Buildtech Private Limited*" as lead case for disposal of this bunch of complaints, against which no executions have been pending before this Authority. Vide its orders dated 05.07.2022, Authority had directed the respondent to refund the money deposited by complainant(s) along with interest as prescribed in Rule 15 of HRERA Rules of 2017. The relevant part of the order(s) in all the complaint(s) is reproduced hereunder: -

*"Authority, however, considers that respondents should have returned the earnest money to complainant because it did not fructify into an allotment. Even though respondents offered to the complainant to take their money back, but Authority considers that respondents should have sent cheques/drafts of money refundable to the complainant. Respondents have used the money of complainant for about 15 years; therefore, respondents are directed to return entire amount paid by complainant along with interest as prescribed in Rule 15 of HRERA Rules, 2017. Interest shall be calculated as per SBI MCLR +2% which was 9.7% per cent at the time of passing this order. The amount to be returned*

to the complainant in complaint no's 2787,2788,2789,2791,2792,2801,2805,2806,2815,2816 and 2817 of 2019 each works out to **Rs. 6,49,427/-** (Principal amount Rs.2,50,000/- plus interest Rs. 3,99,427/-). The amount to be returned to the complainant in complaint no's 2799, 2800 of 2019, each works out to **Rs. 12,98,855/-** (Principal amount Rs.5,00,000/- plus interest Rs. 7,98,855/-). The respondent shall pay entire amount to the complainant within 90 days of uploading this order on the web portal of the Authority."

2. In compliance of above-mentioned order(s), respondent-promoter vide its application dated 21.11.2022 had informed the Authority that in compliance of its orders dated 05.07.2022, the respondent issued 13 demand drafts in favour of decree holders i.e., Sachin Thukral and Savita Thukral respectively, after deducting the TDS @ 20%, which can be claimed by the decree holder(s) in their respective ITR's. The details of such demand drafts have been listed below: -

Complaint No.	Demand Draft Number.	Dated	Amount Payable (Rs.)	Payable to Complainant
2817/2019	031596	20.08.2022	5,69,542/-	Sachin Thukral
2788/2019	031594	20.08.2022	5,69,542/-	Sachin Thukral
2791/2019	031593	20.08.2022	5,69,542/-	Sachin Thukral
2787/2019	031595	20.08.2022	5,69,542/-	Sachin Thukral
2792/2019	031597	20.08.2022	5,69,542/-	Sachin Thukral

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2789/2019	031600	20.08.2022	5,69,542/-	Saita Thukral
2800/2019	031607	20.08.2022	11,39,084/-	Savita Thukral
2799/2019	031606	20.08.2022	11,39,084/-	Sachin Thukral
2815/2019	031599	20.08.2022	5,69,542/-	Savita Thukral
2805/2019	031605	20.08.2022	5,69,542/-	Savita Thukral
2801/2019	031603	20.08.2022	5,69,542/-	Savita Thukral
2806/2019	031604	20.08.2022	5,69,542/-	Savita Thukral
2816/2019	031598	20.08.2022	5,69,542/-	Savita Thukral

3. Further as stated in its application dated 21.11.2022, the respondent-promoter had sent communications to the complainant(s) vide letters dated 21.08.2022 to provide PAN numbers so that applicable TDS could be deducted on the amounts being refunded to decree-holder(s) along with prescribed rate of interest and thereafter, on 05.09.2022 respondent had sent photocopies of demand drafts to the decree holder(s), prepared in compliance of orders dated 05.07.2022 passed by the Authority along with a request to submit original documents as requested by the respondent-promoter. Such communications have been annexed by respondent as Annexure A-2, A-3 to its application.

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However, despite waiting for sufficient time, respondent has not received any communication or heard back from the decree holder(s).

4. Therefore, in view of fact that the complainant(s) are not responding to the communication(s) made by the respondent-promoter with respect to accepting the demand drafts (refund along with interest allowed by the Authority in its order dated 05.07.2022), the respondent-promoter vide application dated 21.11.2022 deposited 13 demand drafts dated 20.08.2022 in favour of complainant(s) Sachin Thukral and Savita Thukral, in the Authority. The office of the Authority brought it to its notice that the validity of demand drafts deposited by the respondent-promoter/judgement-debtor had expired on 20.11.2022. Therefore, the demand drafts are required to be revalidated before handing over the same to the decree-holder(s).

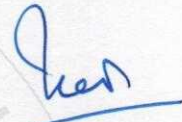
5. In order to get the demand draft revalidated from the respondent-promoter, the complaint cases were called from the record room and listed today. Ms. Isha, Ld. counsel for the respondent-promoter was directed either to transfer the refund amount directly in bank account of decree-holder(s) or to revalidate the demand drafts and re-submit the same to the decree-holder(s) within 30 days of uploading of this order, to which the ld. counsel agreed. Respondent-promoter is further directed to collect the expired demand drafts submitted in above mentioned complaints from office of the Authority for revalidation.

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6. The order be uploaded on the website of the Authority and files be consigned back to record room.



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**DR. GEETA RATHEE SINGH**  
(MEMBER)



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**NADIM AKHTAR**  
(MEMBER)

