



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

## 1. COMPLAINT NO. 1573 OF 2022

Colonel Om Kakkar

....COMPLAINANT(S)

VERSUS

M/s Samar Estates Pvt. Ltd.

....RESPONDENT(S)

## 2. COMPLAINT NO. 2029 OF 2022

Radha Gupta alias Radha Rani

....COMPLAINANT(S)

VERSUS

M/s Samar Estates Pvt. Ltd.

....RESPONDENT(S)

## 3. COMPLAINT NO. 2033 OF 2022

Rajesh Gupta

....COMPLAINANT(S)

VERSUS

M/s Samar Estates Pvt. Ltd.

....RESPONDENT(S)

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**4. COMPLAINT NO. 2034 OF 2022**

Mohinder Pal Gulati

....COMPLAINANT(S)

VERSUS

M/s Samar Estates Pvt. Ltd.

....RESPONDENT(S)

**5. COMPLAINT NO. 2035 OF 2022**

Atam Parkash Lakhnia

....COMPLAINANT(S)

VERSUS

M/s Samar Estates Pvt. Ltd.

....RESPONDENT(S)

**CORAM:** **Dr. Geeta Rathee Singh** **Member**  
**Nadim Akhtar** **Member**  
**Dilbag Singh Sihag** **Member**

**Date of Hearing: 22.09.2022**

**Hearing: 1<sup>st</sup>**

**Present: -** Mr. Vishal Madaan, Id. Counsel for the complainants  
Mr. Sumit Passi, Id. Counsel for the respondents

**ORDER (DILBAG SINGH SIHAG-MEMBER)**

Present petitions have been filed for execution of orders dated 04.05.2022 and 06.05.2022 passed by the Authority whereby respondent was directed to refund the amounts paid by complainants along with interest.



2. Learned counsel for complainants stated that decision already taken by the Authority in bunch of cases with lead Complaint no. 839 of 2019 titled as Jyotsna Leekha V/s M/s Samar Estate Pvt. Ltd. squarely covers the issues and controversy involved in the above-mentioned complaints. Hence, these complaints be disposed of in the same terms.

3. Authority after consideration of submissions made by learned counsel for complainants observed that facts and grievances of the captioned complaints are identical to the matters already disposed of with lead case Complaint no. 839 of 2019 titled as Jyotsna Leekha V M/s Samar Estate Pvt. Ltd. in which Authority has passed following orders:

“..... So, the Authority in exercise of powers conferred on it under Section 40 of The Real Estate (Regulation and Development) Act, 2016 and Rule 27 of Haryana Real Estate (Regulation and Development) Rules, 2017, for recovering the refund amount as arrears of land revenue and for executing the orders as decree of the civil court, decides to issue a warrant of recovery against the company addressed to District Collector with a direction to recover the decreed amounts from the respondents as arrears of land revenue and remit the same to the Authority after such recovery for further payment to the decree holders/complainants. The District Collector shall send a compliance report to this Authority. Necessary action be accordingly taken.”

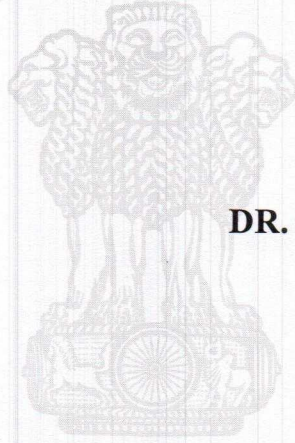
4. Accordingly, Authority disposes of the captioned complaints also in the same terms. Recovery certificates be issued to District Collector, Panchkula for the recovery of decretal amounts as arrears of land revenue as mentioned in table below:



Sr. No.	COMPLAINT NO.	TOTAL AMOUNT PAID BY THE COMPLAINANT	INTEREST TO BE PAID BY RESPONDENT	TOTAL PAYABLE AMOUNT
1.	1573 of 2022	₹16,00,000/-	₹22,53,656/-	₹38,53,656/-
2.	2029 of 2022	₹65,35,018/-	₹53,62,808/-	₹1,18,97,826/-
3.	2033 of 2022	₹30,72,672/-	₹41,68,044/-	₹72,40,716/-
4.	2034 of 2022	₹30,72,672/-	₹41,71,110/-	₹72,43,782/-
5.	2035 of 2022	₹33,40,000/-	₹35,04,497/-	₹68,44,497/-

District Collector shall send a compliance report to this Authority in this regard within 90 days from uploading of these orders.

5. **Disposed of.** Files be consigned to the record room and order be uploaded on the website.



सत्यमेव जयते

*Geeta Rathee*

DR. GEETA RATHEE SINGH  
(MEMBER)

*Nadim Akhtar*

NADIM AKHTAR  
(MEMBER)

*Dilbag Singh Siha*

DILBAG SINGH SIHAG  
(MEMBER)