



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

EXECUTION NO. 247 OF 2021

In

COMPLAINT NO. 706 OF 2019

Pradeep Kumar RoyCOMPLAINANT(S)

VERSUS

Tarang Infrastructure. Ltd.RESPONDENT(S)

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

Date of Hearing: 22.09.2022

Hearing: 8th

Present:- Mr. Vineet Sehgal, Learned counsel for the complainant
None for respondent

ORDER (DILBAG SINGH SIHAG-MEMBER)

While perusing case file, it is observed that complainant vide petition no. 247 of 2021 has sought execution of orders dated 05.11.2020 passed by the Authority in complaint no. 706 of 2019 titled 'Pradeep Kumar Roy Vs Tarang Infrastructure Ltd.'. Authority had directed the

respondent to refund full amount paid by the complainant to the respondent alongwith interest till date of orders which works out to Rs 48,22,140/-. Respondent has failed to comply with the orders of Authority despite availing several opportunities. Therefore, Authority vide orders dated 06.05.2022 had issued directions to attach the bank account of respondent to recover the amount of Rs 48,22,140/- payable to complainant. Learned counsel for complainant had sought time to furnish the details of bank account of respondent company for the purpose of remitting the aforementioned amount.

2. Shri Vineet Sehgal, learned counsel for the complainant submitted that complainant was unable to find the details of bank account of respondent company for the purpose of attachment for recovery of amount of Rs 48,22,140/-. Therefore, he requested the Authority for recovery of amount of Rs 48,22,140/- by way of issuing recovery certificate.

3. Today is the 8th hearing in the matter and none has appeared on behalf of respondent. It is observed that respondent has not complied with orders of the Authority till date and no justifiable reason for non-compliance of orders has been brought to the notice of the Authority. Vide order dated 06.05.2022, Authority had issued directions for the attachment of bank account of respondent company for recovery

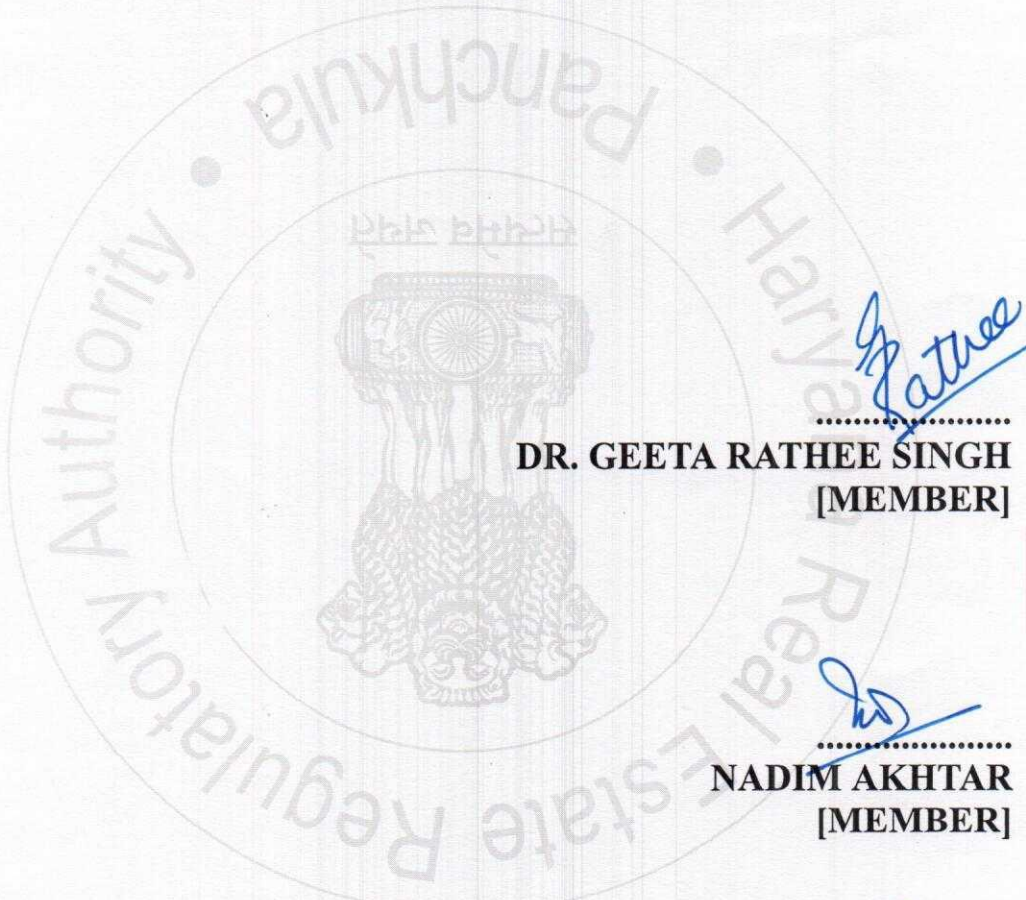


of requisite amount. However, complainant was unable to furnish bank account details of respondent company for the purpose of issuing orders of attachment of bank account. Further, no one is present on behalf of respondent in today's hearing to furnish the same. In the light of these facts, learned counsel for the complainant has requested the Authority for recovery of requisite amount by way of issuing a recovery certificate.

4. Despite availing several opportunities, respondent has failed to comply with the orders of the Authority because of which the complainant is suffering. Since no sufficient details of bank account of respondent company could be furnished by complainant for the purpose of attachment for remitting of the amount of Rs 48,22,140/-, therefore, Authority decides to explore alternative remedy to satisfy claim of the decree holder/complainant. The Authority in exercise of powers conferred on it by 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 decreed amount as arrears of land revenue and for executing the orders as a decree of the civil court, the Authority decides to issue recovery certificate against the company addressed to concerned District Collector with a direction to recover the decreed amount of Rs 48,22,140/- (Principal amount ₹22,68,000/-+ interest ₹25,541,40/- @ 9.30% till

05.11.2020) from the respondents as arrears of land revenue and remit the same to the Authority after such recovery for further payment to the complainant. The District Collector shall send a compliance report to this Authority. Necessary action be accordingly taken.

5. Case is **disposed of** accordingly. Files be consigned to record room.



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DR. GEETA RATHEE SINGH
[MEMBER]

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NADIM AKHTAR
[MEMBER]

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DILBAG SINGH SIHAG
[MEMBER]