



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

## 1. COMPLAINT NO. 215 OF 2022

Parveen Kumar Arya

....COMPLAINANT

VERSUS

SRS Real Estate Ltd

....RESPONDENT(1)

SRS Royal Hills Phase Two Owner Association

....RESPONDENT(2)

## 2. COMPLAINT NO. 230 OF 2022

Anju Jain

....COMPLAINANT

VERSUS

SRS Real Estate Ltd

....RESPONDENT(1)

SRS Royal Hills Phase Two Owner Association

....RESPONDENT(2)

## 3. COMPLAINT NO. 231 OF 2022

Bhawna Mangla

....COMPLAINANT

VERSUS

SRS Real Estate Ltd

....RESPONDENT(1)

SRS Royal Hills Phase Two Owner Association

....RESPONDENT(2)

**4. COMPLAINT NO. 232 OF 2022**

Sachin Mangla

....COMPLAINANT

VERSUS

SRS Real Estate Ltd

....RESPONDENT(1)

SRS Royal Hills Phase Two Owner Association

....RESPONDENT(2)

**5. COMPLAINT NO. 251 OF 2022**

Suresh Chand

....COMPLAINANT

VERSUS

SRS Real Estate Ltd

....RESPONDENT(1)

SRS Royal Hills Phase Two Owner Association

....RESPONDENT(2)

**6. COMPLAINT NO. 253 OF 2022**

Inder Sain Manga

....COMPLAINANT

VERSUS

SRS Real Estate Ltd

....RESPONDENT(1)

SRS Royal Hills Phase Two Owner Association

....RESPONDENT(2)

**7. COMPLAINT NO. 259 OF 2022**

Mitter Sain

....COMPLAINANT

VERSUS

SRS Real Estate Ltd

....RESPONDENT(1)

SRS Royal Hills Phase Two Owner Association

....RESPONDENT(2)

**8. COMPLAINT NO. 261 OF 2022**

Manju Mangla

....COMPLAINANT

VERSUS

SRS Real Estate Ltd

....RESPONDENT(1)

SRS Royal Hills Phase Two Owner Association

....RESPONDENT(2)

**9. COMPLAINT NO. 262 OF 2022**

Sushila Devi

....COMPLAINANT

VERSUS

SRS Real Estate Ltd

....RESPONDENT(1)

SRS Royal Hills Phase Two Owner Association

....RESPONDENT(2)

**CORAM:**

**Dr. Geeta Rathee Singh**  
**Nadim Akhtar**  
**Dilbag Singh Sihag**

**Member**  
**Member**  
**Member**

**Date of Hearing: 14.10.2022**

**Hearing:**

**3<sup>rd</sup>**

**Present: -**

Mr. Sushil K Malhotra, Id. Counsel for the Complainants

None for the respondent no.1

Mr. Rajan Kumar Hans, Id. Counsel for the  
respondent no.2

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

Captioned complaints have been filed against same respondent/promoter and have identical facts and grievances. Therefore, all cases have been taken in a bunch taking facts of complaint no. 215 of 2022 titled as Parveen Kumar Arya versus SRS Real Estate Ltd. (Respondent no.1, SRS Royal Hills Phase Two Owner Association (Respondent no. 2) as lead case.

2. Complainant had booked a flat bearing no. E2/301 admeasuring 1715 sq. ft. in the year 2016 in project namely 'SRS Royal Hills Phase II', Sector 87, Faridabad which was to be developed by the respondent no. 1 company. Total sale consideration of the flat was fixed as ₹95,81,000/- and full consideration amount had been paid by the complainant till date. Flat buyer agreement was executed between both parties on 13.01.2016, copy of which has been placed on record at page no.23 of the complaint book. Copy of allotment letter dated 13.01.2016 has also been placed on record at Annexure C-3. Respondent no.1 has issued a security receipt dated 12.01.2016 on non-judicial stamp paper stating that an amount of ₹95,81,000/- had been received in lieu of booking of flat as total sale consideration. Till date, possession has not been handed over by the respondent. Therefore, complainant's grievance is that respondent no. 1 has not shown his name in the list of allottees. Therefore, respondent no. 2,

Residents Welfare Association (RWA) namely SRS Royal Hills Phase 2 Flat Owners Association has refused to recognise him as an allottee of the project.

3. Neither reply has been filed by respondent no.1, promoter of the project nor anyone has appeared on behalf of them.

4. Mr. Rajan Kumar Hans, appeared through video conference for respondent no.2, Residents Welfare Association (RWA) namely SRS Royal Hills Phase II Flat Owners Association sought time to file reply and stated that the association has no objection to consider the complainants as allottees/members.

5. After consideration of above facts and pleadings made by both parties, Authority observed that complainant had booked a flat in the year 2016 in the respondent's project. He had paid total sale consideration amounting to ₹95,81,000/-. Builder buyer agreement was executed between both the parties on 13.01.2016. In support of his contention, the complainant has attached a copy of security receipt issued by respondent admitting that payment of ₹95,81,000/- has been received in lieu of booking of the flat. Till date, neither money has been refunded nor possession of the flat has been handed to the complainant. Further, complainant's grievance is that respondent has not shown his name in the list of allottees filed before various courts. Respondent no.2, Residents Welfare Association (RWA) namely

SRS Royal Hills Phase 2 Flat Owners Association has also refused to recognise him as an allottee of the project.

6. Perusal of security receipt dated 12.01.2016 issued by the respondent; it reveals that respondent has received advance money with a condition that the same may be returned within a period of 24 months (18 months plus 6 months) from execution of this receipt failing which complainant would be owner of the aforesaid flat or he can sell the same to another person. Further, perusal of clause 4.1 of builder buyer agreement shows that respondent no.1 would under an obligation to hand over possession within 4 years from the date of execution of the agreement. Till date, respondent has not complied with his obligations as per terms of security receipt or builder buyer agreement. Complainant has also placed on record allotment letter dated 13.01.2016 vide which flat bearing no. E2-301 was allotted to the complainant. Authority observed that since the complainant had already paid total sale consideration against the booking of the said flat and paid ₹95,81,000/-.

In view of above facts and observations, Authority considers it appropriate that complainant is entitled to be treated as a successful allottee of the project of the respondent. Respondent no.1 is directed to include the complainants in the list of allottees of the project. further, RWA, respondent no.2 is also directed to add complainants as its members allottees.

7. With these directions, cases are **disposed of**. Files be consigned to record room after uploading of order on the website of the Authority. Complainants will be at liberty to file complaints afresh if any issue remains pending.



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



.....  
**NADIM AKHTAR**  
(MEMBER)



.....  
**DILBAG SINGH SINAG**  
(MEMBER)

