



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 783 OF 2020

Atul Sundra

....COMPLAINANTS

VERSUS

Parsvnath Developers Ltd.

....RESPONDENTS

**CORAM: Dr. Geeta Rathee Singh  
Nadim Akhtar**

**Member  
Member**

**Date of Hearing:** 17.01.2023

**Hearing:** 6<sup>th</sup>

**Present: -** None for the complainant  
Ms. Rupali S Verma, learned counsel for the respondent  
through video conference

## **ORDER (NADIM AKHTAR-MEMBER)**

While perusing the case file, it is revealed that during the course of hearing dated 13.07.2022, learned counsel for the respondent submitted that she filed an application before the Hon'ble Authority on 17.06.2022 on behalf of the respondent under section 71(1) of Real Estate (Regulation and development) Act, 2016 read with rule 28(2)(h) (i) (j) of Haryana Real Estate (Regulation and development) Rules, 2017 seeking

rejection of the complaint for the reason that complainant had earlier filed a consumer complaint no.712 of 2018 titled as "Atul Sundra vs M/s Parsvnath Developers Pvt Ltd" before the Hon'ble State Consumer Dispute Redressal Commission, Haryana which was decided by Hon'ble SDRC vide order dated 02.08.2018.

She further submitted that an appeal no.525 of 2018 titled as Atul Sundra v/s Parsvnath Developers Ltd. had been filed against the order dated 02.10.2018 before Hon'ble National Consumer Dispute Redressal Commission, New Delhi and the same is pending before the Hon'ble NCDRC. She further stated that complainant has concealed this fact that the issue involved in the present complaint was already adjudicated by the Consumer Court. So, present complaint is in clear violation of law. In response to which learned counsel of the complainant stated that she was not aware of this fact. She requested for time to confirm the same from the complainant.

2. Agreeing to the same, vide order dated 13.07.2022, respondent was directed to supply a copy of the application for rejection of complaint along with order dated 02.10.2018 passed by State Consumer Dispute Redressal Commission to this Authority, In compliance of which, copy of application for rejection of the complaint along with order dated 02.10.2018 passed by State Consumer Dispute Redressal Commission has been submitted by the respondent.



3. In previous course of hearing, none was present on the behalf of the complainant. In interest of justice, vide order dated 27.10.2022, complainant was given an opportunity to file a reply on the application of the respondent with an advance copy to the respondent. However, till date no reply has been filed by the complainant.
4. Today, learned counsel for the respondent reiterated the same facts as stated in the said application. She further prayed for the dismissal of the compliant before this Authority. On the other hand, none has appeared on behalf of the complainant and no reply has been filed by the complainant in response to the aforesaid application.
5. Considering the submissions of learned counsel for the respondent and perusal of file, Authority observes that the issues involved in the present complaint has already been adjudicated by the State Consumer Dispute Redressal Commission vide order dated 02.10.2018 and complainant had filed an Appeal bearing no. 525 of 2018 against the said order which is pending before the National Consumer Dispute Redressal Commission, New Delhi.



Therefore, Authority decides to **dismiss the complaint** as the matter is already sub judice before the National Consumer Dispute Redressal Commission.

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**Dr GEETA RATHEE SINGH**  
**[MEMBER]**

.....  
**NADIM AKHTAR**  
**[MEMBER]**

