



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

### COMPLAINT NO. 1242 OF 2021

Bharat Sharma

....COMPLAINANT(S)

VERSUS

Advitya Residency LLP

....RESPONDENT(S)

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

**Date of Hearing: 29.11.2022**

**Hearing: 3rd**

**Present: -Mr. Bharat Sharma, Ld. Counsel for the complainant through VC.**  
**Mr. Neeraj Goel, Ld. Counsel for the Respondent through VC.**

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

Perusal of record reveals that today is 3rd hearing of the case. Brief facts of the case are that complainant had visited the site of the project and booked a commercial unit shop bearing no. F-36 on first floor of Advitya Plaza situated in sector 6, Faridabad. Grievance of the complainant is that at the time of booking no tax related payments information was disclosed by respondent and later respondent has made illegal demands which are not acceptable to the complainant. In his application, the complainant has stated that signature of his wife were taken on blank booking brochure on the promise that after filing up of

all details the booking brochure shall be returned to her. However, the same is still awaited by them till date.

2. On the other hand respondent in his reply has challenged the maintainability of the case by submitting that said complaint is not maintainable before the Authority as the complainant has no Locus to file the said complaint because the application for booking commercial unit was made by Mrs. Priyanka Sharma, who has not been made party to the complaint. Further, complainant has not got any power of attorney to represent the case. Respondent further submits that Mrs. Priyanka Sharma had signed application dated 04.08.2021, wherein it has been clearly mentioned that all the statutory and regulatory charges, taxes, cess, GST and/or levis including any incidents of enhancement therein demanded or imposed by the concerned authorities shall be payable proportionately by the complainant from the date of booking as notified by the respondent firm.

3. Authority perused the record and observed that the application form for booking of commercial unit dated 04.08.2021 and payment receipts reveals that the parties to the agreement are Mrs. Priyanka Sharma and Adviatya Residency LLP. Contrary, said complaint has been filed by Mr. Bharat Sharma who is not a party to the contract. Neither he had filed any power of attorney to prove his capacity to file the present complaint on behalf of the allottee i.e. Mrs. Priyanka Sharma. Authority observes that the present complainant does not hold locus



standi to prosecute the case. Therefore, Authority dismiss the complaint with the liberty to allottee i.e. Ms. Priyanka Sharma to file fresh case in the Authority.

3. Case is **disposed of.** Files be consigned to record room after uploading of order on the website of Authority.



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DR. GEETA RATHEE SINGH  
[MEMBER]



.....  
NADIM AKHTAR  
[MEMBER]