



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 252 OF 2021

Harjit Kaur wife of Tehalinder Singh and
Gurpreet Kaur Wife of Kawaljit Singh

....COMPLAINANT(S)

VERSUS

TDI Infracorp (India) Limited.

.....RESPONDENT(S)

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

Date of Hearing: 14.12.2022

Hearing: 11th

Present: - Mr. Dilpreet S.Gandhi, Counsel for the complainants
Mr. Ajay Ghangas, Counsel for the respondent
through VC

ORDER (NADIM AKHTAR - MEMBER)

Vide order dated 14.10.2022, learned counsel for the respondent had apprised the Authority that complainant has filed a similar complaint with same relief as sought vide present complaint before Hon'ble SCDRC, Delhi in the year 2019, before filing present complaint and therefore complainant cannot be allowed to pursue Complaint no. 252 of 2021 before this Authority unless the complaint filed before Hon'ble SCDRC, Delhi is withdrawn. In view of the aforementioned submissions, learned counsel for the respondent was directed to file an affidavit in support of his claims regarding pendency of complaint for similar cause of action before Hon'ble

SCDRC, Delhi. Relevant part of order dated 14.10.2022 is reproduced below for reference:-

“ *Learned counsel for the respondent also argued that complainant has filed a similar complaint with same relief as sought vide present complaint before Hon'ble SCDRC, Delhi in the year 2019, before filing present complaint. Complainant cannot be allowed to pursue Complaint no. 252 of 2021 before this Authority unless the complaint filed before Hon'ble SCDRC, Delhi is withdrawn.*

3. *Since no one was present on behalf of complainant, Authority adjourns the matter to 14.12.2022 with a direction to the respondent to file an affidavit in support of his claims regarding pendency of complaint for similar cause of action before Hon'ble SCDRC, Delhi. A copy of the same should be supplied to complainant at least 15 days before next date of hearing.*

Meanwhile, respondent shall also file an affidavit providing details with regard to component wise increase in area of the unit, status of construction of unit of complainant and component wise detailed justification of the additional demand of Rs. 47,63,674/- charged under various heads as per statement of account dated 26.10.2021. Affidavit should be filed atleast 15 days before next date of hearing with advance copy to be supplied to the complainant.”

2. Respondent has failed to file necessary documents/affidavit in compliance of orders dated 14.10.2022. Today, learned counsel for the respondent reiterated his arguments as already mentioned in the preceding paragraph.



3. Authority observes that if, in case, complainant has filed a complaint with same relief as sought vide present complaint before Hon'ble SCDRC, Delhi, then before adjudicating this complaint it becomes necessary that complainant should withdraw the complaint filed before Hon'ble SCDRC. Complainant cannot be allowed to pursue Complaint no. 252 of 2021 before this Authority unless the complaint filed before Hon'ble SCDRC, Delhi is withdrawn. Therefore, the case is adjourned to 28.02.2023 granting last opportunity to respondent to file requisite information in compliance of the orders of the Authority. Also, complainant is directed to file an affidavit giving information with regard to the status of complaint filed before Hon'ble SCDRC, or in case no complaint has been filed/pending then stating the same with an advance copy supplied to the respondent.


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Dr. GEETA RATHEE SINGH
[MEMBER]


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NADIM AKHTAR
[MEMBER]