



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 165 OF 2018

SRS Royal Hills Phase II Owners Association COMPLAINANT

VERSUS

SRS Real Estate Ltd.RESPONDENT

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

Date of Hearing: 15.03.2023

Present: - Mr. Rajan Kumar Hans, Id. counsel for complainant-
 association through VC
 Respondent already ex-parte

ORDER (DR. GEETA RATHEE SINGH-MEMBER)

In the present case, complainant-association wishes to take over two towers of the project for completion of development/construction works at their own level. In the previous hearings, Authority had directed the association of allottees to show their financial competency to complete the remaining development/construction works of the tower 'D-2' and 'E-3' in

Geeta Rathee

the project. It was informed through learned counsel for complainant-association that Association had only collected ₹2 crores against required estimate of cost of over ₹22 crores for completion of two towers. The association was way short of required funds, therefore, Authority could not handover project to the Association unless it could be ascertained that Association is competent to raise enough/sufficient funds for completing the project. Further, it was observed by the Authority in a bunch of complaints with lead complaint case no.985 of 2022 titled as "Bhupinder Singh and Gurpreet Kaur versus SRS Real Estate Ltd" filed before the Authority, involving the project SRS Royal Hills, Phase-I and Phase-II, part of which the association wants to take over, that multiple proceeding are pending against the respondent-promoter. Enforcement Directorate had also attached properties of the respondent promoter. Proceedings before NCLT are also going on. Recovery warrants have also been issued by Hon'ble DRT in various cases pending before it. Due to these circumstances, an opportunity was granted to complainant-association to put forth their arguments about position of law qua the part of project which they want to take over, which had already been attached.

2. Today, learned counsel for complainant-association apprised the Authority that due to multiple pending litigations, NCLT proceedings and attachments done by Enforcement Directorate, it would not be possible

G. P. K. K.
G. P. K. K.

for the association to take over the completion work of two towers and therefore present case may be dismissed or disposed of with a liberty to file fresh case.

3. In view of statement made by learned counsel for complainant-association, present case is **disposed of** with a liberty to the complainant-association to file fresh case. File be consigned to record room.



.....
NADIM AKHTAR
(MEMBER)



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