



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1229 OF 2020

Rajeshwari

....COMPLAINANT

VERSUS

Harsha Associates Pvt Ltd.

.....RESPONDENT

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

Date of Hearing: 11.04.2023

Hearing: 11th

Present: -Mr. Vikram Singh, proxy counsel for the complainant through VC.

None for the respondent.

ORDER (NADIM AKHTAR - MEMBER)

Counsel for the complainant appeared and sought adjournment. Authority had captured facts and grievance of the complainant vide order dated 13.10.2021. Relevant part of the order is reproduced below;

While initiating his arguments, Ld. counsel for the complainant pleaded that he had purchased a shop built on commercial plot multiplex cinema site situated at

Harsha K3C Mall, Sector 12, Karnal in 2006. Possession of the shop had been handed over to her by the respondent in 2010. Further, sale deeds were registered in favour of the complainant on 10.04.2019 in the office of sub-registrar Karnal.

2. However, the grievance of the complainant is that respondents are changing the nature of shop by selling the corridors which serve as passage for ingress and egress to her shop and thereby violating the duly approved site

plan. Thus, she requests the authority to direct the respondent not to change nature of the corridors after construction of shops in violation of duly approved layout and site plans.

Reply not filed yet.

3. An opportunity is being granted to both parties to argue on issue of maintainability of present complaint before the Authority. Further, respondent is directed to file reply at least 15 days before next date of hearing and supply an advance copy to the complainant.

2. Vide order dated 13.10.2021, Authority granted an opportunity to both parties to argue on the issue of maintainability of present case. Authority observes that the complaint was filed before the Authority on 29.10.2020, since then the complaint has been adjourned five times on the request of the complainant. It is observed that the complainant is seeking adjournment today as well without any justification. None has appeared on behalf of respondent. Therefore, Authority deems fit to dismiss the complaint for non prosecution with a liberty to file to fresh case.

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

Geeta

DR. GEETA KATHEE SINGH
(MEMBER)

Nadim

NADIM AKHTAR
(MEMBER)

