

<b>PROCEEDINGS OF THE DAY</b>		<b>14 &amp; 15</b>
Day and Date	Friday and 01.09.2023	
Complaint No.	MA NO. 78/2023 in CR/1412/2023 Case titled as Ashok Kumar Parmar Vs Experion Developers Private Limited  CR No.1412/2023 case titled as Ashok Kumar Parmar Vs Experion Developers Private Limited	
Complainant	Ashok Kumar Parmar	
Represented through	None	
Respondent	Experion Developers Private Limited	
Respondent Represented	Shri Dhruv Kapoor Advocate	
Last date of hearing	Application u/s 36 of the Act	
Proceeding Recorded by	Naresh Kumari	

### Proceedings

On the last date of hearing, the counsel for the complainant has filed an application under section 36 of the Act, 2016 regarding restraining the respondent not to create third party rights. The counsel for the respondent stated that the complainant has paid Rs.1,28,033,90/- against a total sale consideration of Rs.4,15,16,948/- and the unit had been cancelled on 15.03.2023 after serving 5 reminders to the allottee and further stated that the complainant has sent two mails dated 27.11.2022 and 20.01.2023 stating that they need more time to make the payment.

Case has been called out but no one has appeared on behalf of the complainant today, however, the complainant had moved an application under section 36 of the Act.

The counsel for the respondent states that the same matter is pending before the State Consumer Disputes Redressal Commission, Delhi vide complaint No.125/2023 and has submitted a copy of the complaint filed before the State Consumer Disputes Redressal Commission, Delhi by the complainant in which



**HARERA**  
**GURUGRAM**

**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
**GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

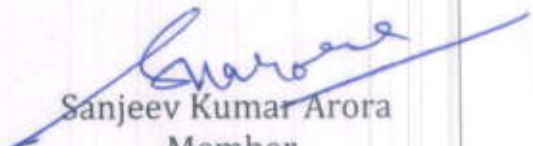
MA NO-78/2023 in CR/14/2/2023

ECR.N  
14/2/2023

case the next date of hearing is 04.09.2023. Hence the present complaint is not maintainable. Further stated that the unit of the complainant was cancelled on 15.03.2023 after issuing 5 reminders (dated 24.11.2022, 07.12.2022, 26.12.2022, 06.01.2023 and 15.02.2023) and after obtaining OC on 29.08.2022 and offer of possession was made to the complainant - allottee on 12.10.2022, hence the cancellation made is valid. Further stated that the complainant himself has sought time as the complainant is passing through severe back pain and temporary disability which shows the inability of the complainant allottee to make timely payment, vide his letter dated 27.11.2022, at page 100 of the reply.

Since the complainant has filed application/complaint in State Consumer Dispute Redressal Commission Delhi and the matter is fixed for 04.09.2023. The complaint here in RERA is dismissed as the complainant cannot do multiple forum shopping.

Matters stand disposed off. File be consigned to the registry.

  
Sanjeev Kumar Arora  
Member  
01.09.2023