

PROCEEDINGS OF THE DAY		18
Day and Date	Wednesday and 20.09.2023	
Complaint No.	CR/2496/2022 Case titled as Rajdeep Agarwal Vs PAREENA INFRASTRUCTURES PRIVATE LIMITED	
Complainant	Rajdeep Agarwal	
Represented through	Shri Sukhbir Yadav Advocate	
Respondent	PAREENA INFRASTRUCTURES PRIVATE LIMITED	
Respondent Represented	Shri Devender Sharma proxy counsel	
Last date of hearing	24.05.2023	
Proceeding Recorded by	Naresh Kumari	

### Proceedings

The authority has already heard and decided the matter in issue between the parties vide order dated 20.03.2019 in complaint bearing no. 2191 of 2018, vide which delay possession charges (DPC) @10.75% from due date of possession till offer of possession plus two months was allowed to him. However, the respondent defaulted in payment of DPC to him. Therefore, in order to execute the order dated 20.03.2019, he has filed an execution petition bearing no. 4119/2021 before the Adjudicating Officer, but the same was dismissed as withdrawn.

The complainant stated that he wishes to withdraw from the project of the respondent and the said right of refund of allottee under section 18(1) of Act is unqualified and the same has been upheld by judgement of the Hon'ble Supreme Court of India in the cases of *Newtech Promoters and Developers Private Limited Vs State of U.P. and Ors.*

On considering the factual as well as legal provisions of the case, the Authority is of view that the present complaint is not maintainable and barred by res-



**HARERA**  
**GURUGRAM**

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

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम  
CR/2196/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

judicata. Thus, the present complaint stands dismissed. File be consigned to the registry.

Ashok Sangwan  
Member  
20.09.2023