



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

### COMPLAINT NO. 899 OF 2023

Kanhiya Lal through their legal heirs

....COMPLAINANTS

VERSUS

Green City Buildtect Ltd.

.....RESPONDENT

**CORAM: Nadim Akhtar  
Chander Shekhar**

**Member  
Member**

**Date of Hearing: 20.05.2024**

**Hearing: 4<sup>th</sup>**

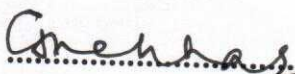
**Present: - None for the complainant  
None for the respondent .**

#### **ORDER (NADIM AKHTAR-MEMBER)**

1. Complainants in their complaint have pleaded that, complainant namely "Kanhiya Lal" was allotted a unit bearing no. G-42, Tower- on the 4<sup>th</sup> floor having carpet area of 1200 sq. ft. in the project of respondent namely "Solitaire Green" at Sector 24, Rewari, Haryana for total sale consideration of ₹19,80,000/-. That on 10.09.2007 complainant entered into a builder buyer agreement. As per clause 11 of the builder buyer agreement "*the developer shall construct the apartments as early as possible and within 3 years, from the start of construction work unless due to unavoidable circumstances.....*". That till 2009, complainant continued to pay unit charge as and when respondent demanded. Complainant had already paid more than 9 lacs against

the total sale consideration. However, respondent has miserably failed to handover possession of fully and developed apartment as per provisions of the agreement. So complainant has prayed to refund the paid amount along with interest and compensation on account of litigation cost of ₹1,00,000/- and to refrain respondent from giving effect to unfair clauses unilaterally incorporated in the builder buyer agreement.

2. Authority observes that complainant has not appeared before the Authority on last two hearings dated 11.10.2023 and 26.02.2024. Today is the fourth hearing and complainant has neither appeared before the Authority nor complied with the orders passed by the Authority on last date of hearing dated 26.02.2024, wherein, complainant was directed to place on record legal heirs' certificate. Thus, Authority decides to dispose of the captioned **complaint as dismissed** for non prosecution, leaving the complainant at liberty to file fresh complaint.
3. Hence, the complaint is accordingly **disposed of** in view of above terms. File be consigned to the record room after uploading of the order on the website of the Authority.

  
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CHANDER SHEKHAR  
[MEMBER]

  
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NADIM AKHTAR  
[MEMBER]