



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

## 1. COMPLAINT NO. 2907 OF 2022

Prem Lata Singh

.....COMPLAINANT

Versus

Vatika Ltd

.....RESPONDENT

## 2. COMPLAINT NO. 2908 OF 2022

Prem Lata Singh

.....COMPLAINANT

Versus

Vatika Ltd

.....RESPONDENT

**CORAM:**

**Parneet Singh Sachdev**

**Chairman**

**Nadim Akhtar**

**Member**

**Dr. Geeta Rathee Singh**

**Member**

**Chander Shekhar**

**Member**

**Date of Hearing:** 02.05.2024

**Hearing:** 6<sup>th</sup>

**Present:**

None for the complainant in both cases.

Ms. Vertika H.Singh, Counsel for the respondent

**ORDER (PARNEET SINGH SACHDEV-CHAIRMAN)**

1. On the last date of hearing, i.e. 22.02.2024, following order was passed in the above captioned complaints:-

*“Cases were fixed for hearing on 20.02.2024. However, due to constitution of Benches, the cases are taken up today for hearing.*

*As per office record, rejoinder has not been filed by complainant in compliance of previous order dated 16.11.2023 in both cases.*

*Perusal of file reveals that complainant was not present during court proceedings of captioned cases even in last two hearings dated 02.08.2023 and 16.11.2023. Today, again no one is present on behalf of complainant in both complaints. In these circumstances, Authority grants one last opportunity to complainants of both cases to pursue their cases failing which cases will be dismissed for non-prosecution on next date.*

*Further, complainants are directed to file rejoinder alongwith details of assured return already received from respondent within next 4 weeks with an advance copy supplied to respondent.*

*Cases are adjourned to 02.05.2024 for arguments.”*

2. Perusal of record reveals that captioned complaints were filed in the registry on 22.11.2022 and notices dated 24.11.2022 were issued to the respondent to file replies. Accordingly, replies in both cases were filed by the respondent in registry on 17.04.2023. These cases were taken up for first hearing on 07.02.2023 and on that date Adv. Virat Tomar was present on behalf of complainants and cases got adjourned for filing of replies. In the second hearing cases were taken up on 25.04.2023, on



the said date replies filed by the respondent were taken on record and ld. counsel for complainants sought time to file rejoinders. Accepting his request, cases were adjourned for next date. In the third hearing cases were taken up on 02.08.2023, and on that date Authority had observed that *'Today is 3<sup>rd</sup> hearing in both the matters and none is present on behalf of complainants. On last date of hearing, ld. counsel for complainants sought adjournment to file rejoinders. However, rejoinders have not been filed till date. Thus complainants are directed to file their rejoinders, if any, before the next date of hearing with an advance copy supplied to respondent. Cases were adjourned to 16.11.2023.'* Again on next date of hearing i.e. 16.11.2023, (fourth hearing), no one appeared on behalf of complainants, and cases were again adjourned by granting time to file rejoinder. On the next date i.e. 22.02.2024 (fifth hearing), again no one has put in appearance on behalf of complainants, therefore, last opportunity was granted to the complainants to pursue their cases, failing which cases will be dismissed for non-prosecution. Order dated 22.02.2024 has already been reproduced above in para 1 of this order.

3. Today is sixth hearing of the above cases and again neither any one has put in appearance on behalf of complainants nor any document/rejoinder has been filed by the complainants in captioned complaints.




4. In these circumstances, Authority observes that complainants are not appearing before the Authority from the last 3 hearings and today also no one has put in appearance on behalf of complainants in captioned complaints for hearing. It seems that complainants are not interested in pursuing with their complaints. Therefore, present complaints are **dismissed** in default for non-prosecution by the complainants. However, liberty is given to the complainants to file afresh complaints, if cause of action still survives.
5. Files be consigned to the record room after uploading of the order on website of the Authority.

  
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CHANDER SHEKHAR  
[MEMBER]

  
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DR .GEETA RATHEE SINGH  
[MEMBER]

  
.....  
NADIM AKHTAR  
[MEMBER]

  
.....  
PARNEET SINGH SACHDEV  
[CHAIRMAN]