



Complaint No. 554 of 2019

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 554 OF 2019

Satish Kumar Garg

....COMPLAINANT(S)

VERSUS

JOP International Limited

....RESPONDENT(S)

CORAM: Rajan Gupta
Anil Kumar Panwar
Dilbag Singh Sihag

Chairman
Member
Member

Date of Hearing: 15.10.2019

Hearing: 4th

Present: - Ms. Srishti, counsel for the complainant.

Mr. Ajiteshwar Singh, counsel for the respondent.

ORDER (RAJAN GUPTA- CHAIRMAN)

1. The case of complainant is that he booked a flat in February 2013 in the project of respondent namely "JOP Palms" situated in Sector 28, Rohtak. On 05.12.2013 a 4BHK flat was endorsed in the name of first purchaser Mr. Parveen Kumar. Total sale consideration of the unit was Rs. 62,00,000/- out of which the complainant has already paid Rs. 16,42,075/-. It was a construction linked plan. The grievance of complainant is that construction of the project has not started till date and that no agreement has been executed till date. Therefore, the complainant is praying for the relief of refund of the amount already paid along with interest.

2. Learned counsel for respondent stated that the respondent has already agreed to refund the amount paid by the complainant without any interest by 31.05.2019. However, the same has not been done.

3. Considering the averments made by both the parties, the Authority is of the view that complainants are entitled to refund of the already paid amount as the respondent has failed to execute even buyer's agreement till date. The plan opted by the complainant is construction linked payment plan and he has already paid twenty five percent of the total sale consideration whereas construction has not commenced till date. The Authority thereby directs the respondent to refund the amount paid by the complainant along with compensation in accordance with the principle laid down in complaint



no 113 of 2018 titled "Madhu Sareen V. M/s BPTP Ltd." and complaint no 49 of 2018 titled "Parkash Chand Arohi V. M/s Pivotal Infrastructure Pvt. Ltd."

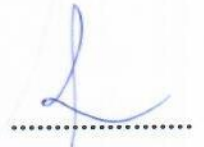
4. Matter stands disposed of. File be consigned to record room.



RAJAN GUPTA
[CHAIRMAN]



ANIL KUMAR PANWAR
[MEMBER]



DILBAG SINGH SIHAG
[MEMBER]