



**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

<b>PROCEEDINGS OF THE DAY</b>		<b>22</b>
Day and Date	Tuesday and 06.08.2024	
Complaint No.	MA NO. 212/2024 in CR/4315/2020 Case titled as MUNISH KOHLI AND BRIJ MOHAN KOHLI VS VSR INFRATECH PRIVATE LIMITED	
Complainant	MUNISH KOHLI AND BRIJ MOHAN KOHLI	
Represented through	Shri Sanjay Gaba Advocate	
Respondent	VSR Infratech Private Limited	
Respondent Represented	Shri Kapil Bakshi Advocate	
Last date of hearing	Application for restoration	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### **Proceedings-cum-order**

The aforesaid complaint was disposed of vide order dated 13.02.2024 due to settlement between the complainant and the respondent. In order to avoid litigations, the applicants /Complainants had decided to settle the matter and resultantly entered in a Settlement Deed dated 10.09.2022. In continuation of this Settlement Deed dated 10.09.2022, the respondent had also executed an Addendum to Settlement Deed dated 08.02.2023. Amending some certain terms and conditions as contemplated in the Addendum to Settlement Deed effected date 27.03.2023. In both the settlement and addendum to the settlement deed, the respondent agreed to pay an amount of Rs.53,35,583/- along-with interest to the applicants/complainants towards full and final amount. At the time of settlement, it was assured and represented by the respondent that he also would pay the remaining amount in terms of the settlement deed and the addendum to settlement deed. However, an amount of Rs.5,33,558/- was paid by the respondent through NEFT out of total full and final amount of Rs.53,35,583/- on



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the basis of settlement arrived at between the parties. The applicants/complainants could not appear before the authority in the good faith that the respondent might pay them the agreed settled amount, however, the same was not paid by the respondent and on account of non-appearance of the applicants /complainants, the case was ordered as Dismissed-In-Default.

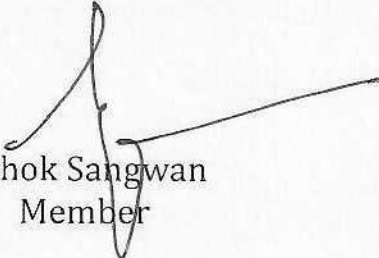
Thereafter, the applicants /complainants have filed an application seeking restoration of complaint No.4315 of 2020 at its original stage and shape. However, the same was restored by the Authority vide order dated 31.12.2023. Consequent upon restoration of the complaint No.4315 of 2020, the applicants/complainants were directed to appear before this Authority on 13.02.2024.

On 13.02.2024, neither the applicants/complainants nor their counsel could appear before the Authority, because the applicants/complainants as well as their counsel was out of station and the proxy counsel because of heavy burden and load of work could also not appear before this Authority.

The authority vide proceedings dated 13.02.2024 has already given a liberty to the complainant allottee to file an application for execution of the order of the authority, if the terms of the settlement are not adhered by the respondent. The said directions are hereby reiterated :-

*"The Authority is of the view that if the terms of settlement are not being adhered by the respondent, the complainant-allottee may file an application for execution of the order of the authority before Adjudicating Officer as the case was disposed off in terms of settlement agreement."*

In view of above, the application stands disposed off. File be consigned to the registry.

  
Ashok Sangwan  
Member

  
Vijay Kumar Goyal  
Member

  
Arun Kumar  
Chairman  
06.08.2024