



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

## 1. COMPLAINT NO. 1021 OF 2018

Vijay Kumar

.....COMPLAINANT

Versus

Aarcity Builders Pvt Ltd

.....RESPONDENT

## 2. COMPLAINT NO. 1233 OF 2019

Jagbir Singh

.....COMPLAINANT

Versus

Aarcity Builders Pvt Ltd

.....RESPONDENT

**CORAM:**

**Parneet Singh Sachdev**

**Chairman**

**Nadim Akhtar**

**Member**

**Chander Shekhar**

**Member**

**Date of Hearing:** 11.07.2024

**Hearing:** 41<sup>st</sup> in complaint no. 1021-2018

34<sup>th</sup> in complaint no. 1233-2019

**Present:** None for the complainant in both cases.

None for the respondent in both cases.

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

1. On the last date of hearing, i.e. 04.04.2024, following order was passed in the above captioned complaints:-

*“In complaint no. 1021/2018, 1233/2019 and 1848/2019, it is observed that neither anyone has put in appearance nor any document has been filed in compliance of directions issued vide previous order dated 25.01.2024. Last opportunity is granted to complainant to file documents in compliance of previous order and to prosecute their cases.”*

2. At this stage, it is pertinent to reproduce the relevant part of order dated 25.01.2024 for ready reference:-

*“Now that the project is being constructed and possession is being offered to various allottees, but no one has put in appearance in complaint no. 1233/2019,1021/2018 and 1848/2019 so complainants in these respective complaints are directed to submit details with regard to status of their allotment/unit in the project and whether they have been offered possession by the respondent no. 1 on next date so as to ascertain the stage of their claim.”*

3. Perusal of record reveals that notices dated 04.12.2018 and 03.06.2019 were issued in captioned complaints respectively. Thereafter, process of hearings got initiated and fact remains that cases were taken together for the purpose of hearings with complaint no. 813/2018-Aarcity Regency Park Welfare Association vs Aarcity Builders Pvt Ltd for the reason that complaints



pertain to same project of respondent and in complaint no. 813/2018 Authority was issuing directions to respondent to complete the project with close monitoring of construction updates. In order to have broad perspective, cases were heard together irrespective of presence of complainants in captioned complaints.

4. Perusal of order dated 24.08.2023, 05.10.2023, 09.11.2013, 25.01.2024 and 04.04.2024 reveals that no one has appeared on behalf of complainants in captioned complaints. Vide order dated 25.01.2024, complainants were specifically asked to submit details with regard to status of their allotment/unit in the project and whether they have been offered possession by the respondent no. 1 or not so as to ascertain the stage of their claim. On the next date i.e. 04.04.2024 (40<sup>th</sup> hearing in complaint no. 1021-2018 and 33<sup>rd</sup> in complaint no. 1233-2019), again no one has put in appearance on behalf of complainants, therefore, last opportunity was granted to the complainants to file documents in compliance of order dated 25.01.2024 and to pursue their cases. Relevant part of order dated 25.01.2024 and 04.04.2014 has already been reproduced above in para 1 and 2 of this order.


5. Today is 41<sup>st</sup> hearing in complaint no. 1021-2018 and 34<sup>th</sup> hearing in complaint no. 1233-2019 and again neither any one has put in appearance on behalf of complainants nor any document/submissions have been filed by the complainants in captioned complaints.

6. In these circumstances, Authority observes that complainants are not appearing before the Authority from the last 5 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.

7. 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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NADIM AKHTAR  
[MEMBER]

  
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PARNEET SINGH SACHDEV  
[CHAIRMAN]