



Complaint No. 505 of 2019

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 505 OF 2019

Vineet Gupta

....COMPLAINANT

VERSUS

TDI Infrastructure Ltd.

....RESPONDENT

CORAM: Anil Kumar Panwar

Member

Dilbag Singh Sihag

Member

Date of Hearing: 11.12.2019

Hearing: 4th

Present: - Mr. Gajanand Kirodiwala & Ms. Anisha Mathur,

Counsel for the complainant.

Mr. Shubnit Hans, Counsel for the respondent.

ORDER (ANIL KUMAR PANWAR-MEMBER)

1. The complainant in the present case has made a prayer for refund along with interest and compensation. The respondent wanted to settle the dispute amicably by offering an alternative plot to the complainant but the offer was not acceptable to the complainant who is still insisting for refund on the ground that the possession of the plot allotted to him in December, 2005 has not been delivered within the agreed time.
2. The Authority in its earlier orders have already opined that the present case qualifies for refund of the amount already paid by the complainant along with interest, since the respondent is unable to offer the complainant the allotted plot and the alternative plot is not acceptable to the complainant.
3. As per the Haryana Real Estate (Regulation and Development) Amendment Rules 2019, the relief regarding refund matters in terms of Rule 28(2)(k) has to be dealt with by Real Estate Regulatory Authority. However, in writ petition no. **CWP-34244 of 2019 titled Wg. Cdr. Sukhbir Kaur Minhas Versus State of Haryana and Others**, the Hon'ble Punjab and Haryana High Court vide order dated 25.11.2019 has stayed the operation of the said rules which is now listed for hearing on 15.01.2020.

4. Case is therefore adjourned to 06.02.2020 to await outcome of the matter pending before the Hon'ble Punjab and Haryana High Court.



ANIL KUMAR PANWAR
[MEMBER]



DILBAG SINGH SIHAG
[MEMBER]

