



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 1848 OF 2019

Hansraj

.....COMPLAINANT

Versus

1. Arcity Builders Pvt Ltd
2. Hisar Real Estate Pvt Ltd

.....RESPONDENT

CORAM:	Parneet Singh Sachdev	Chairman
	Nadim Akhtar	Member
	Dr. Geeta Rathee Singh	Member
	Chander Shekhar	Member

Date of Hearing: 20.02.2025

Hearing: 37th

Present: None for the complainant.
Adv. Himanshu Raj, Counsel for the respondent no. 1.

ORDER (PARNEET S. SACHDEV-CHAIRMAN)

1. In the captioned complaint, 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.”

2. Thereafter, case got listed for hearing on 04.04.2024, wherein it has been observed as follows:-

“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.”

3. On the next date of hearing, i.e. 11.07.2024, following order was passed in the above captioned complaint:-

“Today, Adv. Amit has put in appearance on behalf of the complainant in complaint no. 1848/2019. He sought time to file vakalatnama and latest status report of unit in question in compliance of the order dated 25.01.2024. His request is accepted.



Said documents be filed within next 3 weeks with an advance copy supplied to the respondents.

.....
Case is adjourned to 14.11.2024."

4. On the last date of hearing, i.e. 14.11.2024, Authority had observed as follows:-

"Today, no one has put in appearance on behalf of complainant in complaint no. 1848/2019 nor any latest status report w.r.t unit booked has been filed. In these circumstances, last opportunity is granted to complainant to file status report within next 3 weeks with an advance copy supplied to the respondents and pursue his case on next date of hearing."

5. As per office record, no document has been filed by the complainant till date in compliance of order dated 25.01.2024.
6. Perusal of record reveals that notice dated 05.08.2019 was issued in captioned complaint. Thereafter, process of hearings got initiated and fact remains that case for the purpose of hearings was taken along 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 complainant in complaints.



7. Perusal of order dated 24.08.2023, 05.10.2023, 09.11.2013, 25.01.2024 04.04.2024 and 14.11.2024 reveals that no one has appeared on behalf of complainant in captioned complaint. Vide order dated 25.01.2024, complainant was specifically asked to submit details with regard to status of his allotment/unit in the project and whether he has been offered possession by the respondent no. 1 or not so as to ascertain the stage of his claim. On the next date i.e. 04.04.2024, again no one has put in appearance on behalf of complainants, therefore, last opportunity was granted to the complainant to file documents in compliance of order dated 25.01.2024 and to pursue his case. Thereafter, Adv. Amit appeared on behalf of complainant on hearing dated 11.07.2024 whereby he was asked to file vakalatanama alongwith details of unit of complainant. On next date of hearing, i.e. 14.11.2024, again no one has appeared on behalf of complainant nor any document was filed. Relevant part of orders dated 25.01.2024, 04.04.2024, 11.07.2024 and 14.11.2024 has already been reproduced in aforesaid paragraphs of this order.

8. Today is 37th hearing and again neither any one has put in appearance on behalf of complainant nor any document/submissions has been filed by the complainant.

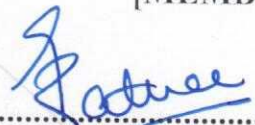
9. In these circumstances, Authority observes that complainant is not interested in pursuing with his complaint. Therefore, present complaint is **dismissed** in default for non-prosecution by the complainant. However, liberty



is given to the complainant to file a fresh complaint, if cause of action still survives.

10. File 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]

