



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1163 OF 2024

Residents Welfare Association TDI City Kundli G to L Block

....COMPLAINANT

VERSUS

1. TDI Infrastructure Limited (Tdi City, Kundli Sonipat)
2. Director Department of Town and Country Planning Haryana

....RESPONDENTS

CORAM:

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

Date of Hearing: 06.02.2025

Hearing: 2nd

Present: - Mr. Karan Dang, counsel for the complainant through VC.

Mr. Shubhnit Hans, counsel for the respondent through VC.

ORDER (PARNEET S SACHDEV – CHAIRMAN)

1. The present complaint has been filed by the complainants seeking various reliefs against the respondent. The reliefs sought by the complainants, as stated in the complaint, are as follows:-

- The RWA is seeking outright cancellation of the part completion certificates granted to the Respondent pertaining to the project in question over the course of past 16 years as these certificates are granted in sheer violation of section 2(i) & 2(ii) of HRDUA Act, 1975 and are being used as tools to cause harassment to the allottees and are used as means for*

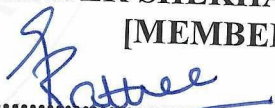
h

- extorting monies from allottees in the form of unnecessary non construction penalties, holding charges, maintenance so that these levy and recovery be ceased by the respondent under RERA Act.*
- ii. Cancellation of licenses granted by DCP so that builder may not recover the illegal charges and the project should be taken over by the DCP or other capable promoter under section 8 of RERA Act in the interest of the buyers/allottees so that the project may be completed to provide the ultimate solution pertaining to the housing of allottees.*
 - iii. Initiation of proceedings under section 10 of Haryana Development and Regulation of Urban Areas Act, 1975, when the allottees had been defrauded with the intention to cheat, selling the agriculture land and which is part of the approved LOP.*
 - iv. Complete forensic audit of all the land of the project and all the bank accounts in the name of the builder so as get hold of the hard-earned money siphoned by the builder.*
 - v. Comprehensive detail of all 8200 allottees of the project along details of the funds received from the allottees and their status in respect of their respective plot buyers.*
 - vi. The EDC/enhanced EDC charged from the allottees year-wise and applicable to the plotted project during the period of licenses period and part completion period of i.e. 2004 to 2017.*
 - vii. To appoint an Independent Commissioner to look into the facts and the ground reality of the Project on the aspects aforementioned.*
 - viii. To register the aforesaid project with the RERA Authority being an ongoing project and to complete the project which is kept pending for completion since 2004-2006.*
 - ix. Financial viability of the respondent be adjudged to determine the ability of the Respondent to execute, complete pending work and determine the availability of resources of funds to complete the project, otherwise on the other hand the project be handed over to the allottees and RWA, through a separate suo moto complaint under section 8 of the RERA Act so as to seek completion of the project through other capable developer”.*

2. Upon perusal of the complaint and the reliefs sought, it is observed that none of the reliefs claimed by the complainants fall within the jurisdiction of this Authority under the RERA Act, 2016.

3. The reliefs sought in the present complaint primarily involve administrative and financial actions by different authorities under the HRDUA Act, actions on licences, EDC etc.
4. During hearing, ld. counsel for the complainant was made aware of this fact and was asked specifically, the sections of the RERD Act under which the reliefs claimed lie. Also, whether any relief has been specifically claimed under the RERD Act. Ld. counsel could not provide any detail of any relief falling under the RERD Act.
5. In view of the aforesaid observation, Authority observes that the complaint is not maintainable before the Authority. Accordingly, present complaint stands **dismissed** as non-maintainable.
6. File be consigned to record room after uploading of this order on the website.


.....
CHANDER SHEKHAR
[MEMBER]


.....
DR. GEETA RATHEE SINGH
[MEMBER]


.....
NADIM AKHTAR
[MEMBER]


.....
PARNEET S SACHDEV
[CHAIRMAN]