



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2676 OF 2019

Tuscan City Floors LX To CL
Residents Welfare Association

....COMPLAINANTS

VERSUS

M/S TDI Infrastructure Ltd.

....RESPONDENT

CORAM:

Parneet S Sachdev
Nadim Akhtar
Chander Shekhar

Chairman
Member
Member

Date of Hearing: 24.04.2025

Hearing: 28th

Present: Mr. Sanyam Khatri, proxy counsel for Adv. Deepak Dahiya,
counsel for complainant through VC.
Mr. Shubhmit Hans, counsel for respondent through VC.

ORDER (PARNEET S SACHDEV - CHAIRMAN)

1. Vide last order dated 23.01.2025, Id. counsel for the complainant, Mr. Deepak Dahiya, appeared through video conferencing and submitted that he has not yet received instructions from his client. Accordingly, a request was made to adjourn the matter till further instructions are obtained from the complainant association.

2. It is pertinent to note that the present complaint was instituted in the year 2019 and the first hearing took place on 12.02.2020. Since then, the complainant's counsel has on numerous occasions sought adjournments either on account of lack of instructions from his client or other grounds.
3. On perusal of past orders, it is revealed as under:
 - i. On 18.10.2020, ld. counsel for the complainant sought time to seek instructions concerning the pendency of a related matter before the Hon'ble National Consumer Disputes Redressal Commission (NCDRC).
 - ii. On 27.07.2023, learned counsel did not appear, citing a medical issue.
 - iii. On 10.10.2023, the counsel submitted that no instructions had been received from the RWA regarding internal meetings.
 - iv. On 25.01.2024, none appeared for the complainant; adjournment was sought through an email communication.
 - v. On 30.05.2024 and 24.10.2024, only proxy counsel appeared and sought adjournments, with the main counsel remaining absent.
 - vi. Today also, the main counsel remained absent and the matter was again sought to be deferred.
4. Authority observes that the above sequence clearly establishes a pattern of non-prosecution on the part of the complainant. Despite repeated



opportunities, no concrete steps have been taken by the complainant or its counsel to meaningfully prosecute the case.

5. It is a settled principle of law that “*Justice delayed is justice denied,*” not only to the parties but also to the system. Courts and adjudicatory forums cannot permit proceedings to be kept pending indefinitely at the instance of a non-vigilant party.
6. Having regard to the overall conduct of the complainants, and considering the inordinate delay caused without any sufficient cause shown, Authority is constrained to conclude that the complainant is not interested in prosecuting the present matter.
7. Accordingly, keeping in view the interest of justice, the present complaint is hereby **dismissed for non-prosecution**. File be consigned to the record room.


CHANDER SHEKHAR
[MEMBER]


NADIM AKHTAR
[MEMBER]


PARNEET S SACHDEV
[CHAIRMAN]