



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 133 OF 2021

Jasbir Singh Walia and Ravinder Kaur

....COMPLAINANT

VERSUS

M/S Achievers Builders Pvt Ltd.

....RESPONDENT

CORAM:

Parneet S Sachdev

Chairman

Nadim Akhtar

Member

Chander Shekhar

Member

Date of Hearing: 24.04.2025

Hearing: 29th

Present: None for the complainant

Ms. Neetu Singh, counsel for the respondent through VC.

ORDER (PARNEET S SACHDEV - CHAIRMAN)

1. The operative part of the last order dated 19.09.2024 is reproduced below for reference:

"In the previous hearings, Ld. counsel for the respondent informed the Authority that CWP no. 22281 of 2022 is pending before Hon'ble

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Punjab and Haryana High Court, Chandigarh which is now listed for hearing on 11.12.2024 as per the information retrieved from the official website of High Court of Punjab and Haryana, Chandigarh. Authority is conscious of the fact that there is no stay granted by the Hon'ble Punjab and Haryana High Court, however adhering to judicial propriety, the matter is adjourned to 16.01.2024 awaiting orders from Hon'ble High Court. "

2. It is observed that the case before the Hon'ble Punjab and Haryana High Court is still pending and now listed for hearing on 19.08.2025. It was earlier apprised by the Ld. Counsel for the respondent vide order dated 29.09.2022 that the respondent has challenged the jurisdiction of this Authority by filing CWP No. 22281 of 2022 before the Hon'ble High Court, contending that HRERA, constituted under the Real Estate (Regulation and Development) Act, 2016, does not have jurisdiction to entertain the complaint in cases where the project was completed, and possession was handed over in the year 2015, prior to the enactment of the said Act.
3. The pendency of the writ petition before the Hon'ble High Court has resulted in repeated adjournments, without any effective proceedings before this Authority. Although no stay has been granted by the Hon'ble Court, in adherence to judicial propriety and discipline, Authority has been constrained to adjourn the matter from time to time awaiting the decision of the Hon'ble High Court.
4. However, Authority is of the considered view that the continuous pendency of the matter before the Hon'ble High Court and the repeated adjournments

before this Authority are causing undue delay, defeating the objective of expeditious adjudication of complaints as envisioned under the Act. In the absence of a final decision from the Hon'ble High Court on the issue of jurisdiction, it is not prudent to indefinitely keep the complaint pending on the file of the Authority.

5. In these circumstances, and in the interest of justice, the present complaint is dismissed without entering into the merits of the case. However, the complainant shall be at liberty to file a fresh complaint before this Authority as and when the decision of the Hon'ble Punjab and Haryana High Court in CWP No. 22281 of 2022 is pronounced and some cause of action remains with this authority.
6. In view of the aforesaid observations, the present case stands **dismissed** and disposed of accordingly. File be consigned to the record room


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CHANDER SHEKHAR
[MEMBER]


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NADIM AKHTAR
[MEMBER]


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PARNEET S SACHDEV
[CHAIRMAN]