



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

| | |
|-------------------------------|---------------------|
| Complaint no.: | 1045 of 2021 |
| Date of filing: | 08.10.2021 |
| First date of hearing: | 30.11.2021 |
| Date of decision: | 05.05.2025 |

Arun Sharma and Vimmi Sharma
R/o H. No. 652-A, Gandhi Nagar,
Jammu

....COMPLAINANT

VERSUS

Ms Soni Realtors Pvt Ltd
Through its managing director,
Registered office- 1518,
Hemkunt Chambers, 89,
Nehru Place, New Delhi-110019.

....RESPONDENT

CORAM: Nadim Akhtar

Member

Chander Shekhar

Member

Present: Adv. Sunhit Jain, proxy counsel for Adv. Rahul Sharma, counsel for complainant through VC.

None for respondent.

ORDER: (NADIM AKHTAR-MEMBER)

1. Relevant part of last order dated 11.11.2024 is reproduced below:

1. *Relevant part of last order dated 01.07.2024 is reproduced below:*

"4. Given the circumstances, the Authority deems it appropriate to direct the complainant to visit the ICICI Bank office in Gurugram to remind them of the outstanding request and ask them to provide necessary details as promptly as possible.

5. Further, Authority directs concerned Branch Manager, ICICI Bank, Gurugram to provide the transaction details of loan amount of ₹52,31,585/- which is directly made to respondent within 2 weeks from uploading of the order in the registry. If the Branch Manager of ICICI Bank, Gurugram fails to comply with the said directions, coercive actions will be taken against them."


2. Today, ld. counsel for complainant appeared and sought some more time to comply with last orders of the Authority. His request is accepted.

2. Today, Adv. Sunhit Jain, proxy counsel for Adv. Rahul Sharma appeared and again requested for a short adjournment on the ground that main counsel is in Jammu.
3. The Authority observes that today marks the 12th hearing in the present matter. Perusal of the case file reveals that the Authority, vide orders dated 01.07.2024 and 11.11.2024, had specifically directed the complainant to visit the ICICI Bank office in Gurugram to follow up on the pending request and obtain the requisite information/documentation essential for the adjudication of the case.
4. However, despite the passage of considerable time and multiple opportunities granted by the Authority, the complainant has failed to comply with the said directions. The complainant has neither visited the bank as instructed nor



submitted the necessary details even as of today's date. This prolonged delay on the part of the complainant is unjustified and reflects a lack of due diligence and cooperation in the proceedings.

5. Furthermore, instead of ensuring compliance with previous directions, the learned counsel for the complainant once again sought an adjournment during today's hearing. This conduct has contributed to an inordinate delay of 339 days, which is not only unwarranted but also obstructs the timely dispensation of justice.
6. In light of complainant's consistent failure to prosecute the matter, the Authority is left with no option but to **dismiss the complaint for non-prosecution.**
7. Authority decides to dispose of the captioned complaint as dismissed for non prosecution. Hence, the complaint is accordingly **disposed of** in view of above terms. File be consigned to the record room after uploading of the order on the website of the Authority.


.....
CHANDER SHEKHAR
[MEMBER]


.....
NADIM AKHTAR
[MEMBER]