



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 553 OF 2024

Urmila Devi Sharma

....COMPLAINANT

VERSUS

Shiv Sai Infrastructure Private Ltd.

....RESPONDENT

CORAM:

Parneet S Sachdev

Chairman

Nadim Akhtar

Member

Chander Shekhar

Member

Date of Hearing: 08.05.2025

Hearing: 3rd

Present: Mr. Raj Kumar Sharma, counsel for the complainant through VC.
Mr. Rajesh Goswami, counsel for the respondent through VC.

ORDER (PARNEET S SACHDEV - CHAIRMAN)

1. Today, ld. counsel for the complainant submitted that the complainant had earlier filed a consumer complaint on the identical relief before the Hon'ble District Consumer Disputes Redressal Forum, Faridabad, which was


decided in his favour. Against the said order, the respondent preferred an appeal before the Hon'ble State Consumer Disputes Redressal Commission, Haryana, Panchkula. The Hon'ble State Commission, while deciding the appeal in favour of the respondent, granted liberty to the complainant to file a fresh complaint. Pursuant thereto, the complainant filed a fresh complaint before the State Commission, which was subsequently withdrawn.

2. Per contra, ld. counsel for the respondent submitted that the complainant has been continuously engaged in prolonged litigation since 2014 by moving from one forum to another, raising the same grievances. He contended that in 2014, the Hon'ble District Forum decided the complaint, which was then challenged by the respondent in appeal before the State Commission, and the appeal was allowed in favour of the respondent. Thereafter, the complainant filed another complaint before the Hon'ble State Commission in the nature of a class complaint, which was subsequently withdrawn.
3. Further, he submitted that in 2023, the complainant approached this Authority with a similar complaint, which was dismissed on the ground that the matter was already before the Hon'ble State Consumer Commission. Now, the complainant has approached this Authority with exactly the same issue that has already been adjudicated by the State Commission. Hence res judicata applies.
4. The complainant was asked during the hearing whether there was indeed an order of the Hon'ble State Commission or the National Commission which



has allowed him to come to this Authority when the issue at hand had already been decided by the State Commission. The Complainant and his counsel could not provide any order or evidence to substantiate that their complaint was maintainable.

5. Therefore, the present complaint is not maintainable. Accordingly, the present complaint stands **dismissed**.
6. File be consigned to the record room.


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CHANDER SHEKHAR
[MEMBER]


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NADEEM AKHTAR
[MEMBER]


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PARNEET S SACHDEV
[CHAIRMAN]