



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: [www.haryanarera.gov.in](http://www.haryanarera.gov.in)

### COMPLAINT NO. 2040 OF 2022

Renu Seth

VERSUS

....COMPLAINANT

Rama Krishna Buildwell Pvt. Ltd.

....RESPONDENT

**CORAM: Parneet S Sachdev  
Nadim Akhtar  
Chander Shekhar**

**Chairman  
Member  
Member**

**Date of Hearing: 08.05.2025**

**Hearing: 9<sup>th</sup>**

**Present: -** Mr. Vishal Singhal, proxy counsel for Mr. Sanjeev Sharma, Counsel for the complainant, through VC.  
Mr. Pritam Lal Sehgal, Counsel for the respondent, in person.


### **ORDER (PARNEET S SACHDEV-CHAIRMAN)**


1. Captioned complaint pertains to the project- Presidia Heights, Divine City, Sonipat of the respondent. On perusal of the complaint file, it is revealed that the complainant in this complaint is seeking possession along with delay interest and monthly assured returns.

2. It is pertinent to note that the issue concerning assured returns is pending before Hon'ble Punjab and Haryana, High Court vide *CWP No. 26740 of 2022 titled as Vatika Ltd v. Union of India and Anr*, which is now listed for hearing on 25.08.2025, wherein the question relating to jurisdiction of this Authority to decide the matters pertaining to assured returns is pending for adjudication.
3. In view of the above, authority observes that the present case has been adjourned on multiple occasions solely on the premise that the legal issues arising herein are directly and substantially in issue in a matter presently pending adjudication before the Hon'ble High Court. Considering that the said question of law is *sub judice* before the Hon'ble Court, it is manifest that the decision in the aforesaid proceedings shall have a determinative bearing on the adjudication of the instant complaints before this Authority.
4. Therefore, at this time it is also not feasible nor legally prudent to keep these matters pending indefinitely for a long time, until the Hon'ble High Court delivers its judgment in the aforesaid pending matter. The continued pendency without active adjudication would not serve the ends of justice for either party and may cause undue costs and hardship to them. In the case of *National Institute of M.H. & N.S. v. C. Parameshwara*, AIR 2005 SC 242, the Hon'ble Apex court has provided a similar view.
5. In view of the foregoing, and taking into account the fair and consensual submissions of both learned counsels, who have agreed that the present

matters may be dismissed owing to the pendency of adjudication before the Hon'ble High Court, this Authority finds it just and appropriate to dispose of the present complaints without delving into the merits thereof. However, liberty is granted to the complainants to institute fresh complaint(s) before this Authority, should any cause of action survive or arise subsequent to the final adjudication of the matter pending before the Hon'ble High Court in *Vatika Ltd. v. Union of India & Anr.*

6. 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]