



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

## COMPLAINT NO. 337 OF 2024

Mr Rajat P Deshpande and Mrs Neelima P Deshpande

Through POA P N Deshpande

.....COMPLAINANT

VERSUS

Parsvnath Elite Floors

.....RESPONDENT

**CORAM:** Dr. Geeta Rathee Singh  
Chander Shekhar

Member  
Member

**Date of Hearing:** 04.02.2025

**Hearing:** 2nd

**Present:** Adv. Simran, Ld. Counsel for Complainant through VC.  
Adv. Neetu Singh, Ld. Counsel for Respondent through VC.


### ORDER


1. Present compliant was filed before the Authority by Mr Rajat P Deshpande and Mrs Neelima P Deshpande though power of attorney holder P N Deshpande whereby complainant have sought relief of compensation under Section 18(3) and 19 of RERA Act, 2016. It is a matter of public knowledge that Section 18(3) of RERA Act, 2016 pertains to liability on promoter to pay compensation in case promoter fails to discharge any other obligation imposed upon him under the Act or the rules and regulations or in accordance with terms and conditions of the

*Geeta Rathee*

agreement for sale and Section 19 illustrate rights and duties of allottees. However, with respect to filing of complaint for compensation that Hon'ble Supreme Court of India in Civil Appeal Nos. 6745-6749 of 2027 titled as "*M/s Newtech Promoters and Developers Pvt Ltd. V/s State of U.P. & ors.*" (supra,), has held that an allottee is entitled to claim compensation & litigation charges under Sections 12, 14, 18 and Section 19 which is to be decided by the learned Adjudicating Officer as per section 71 and the quantum of compensation & litigation expense shall be adjudged by the learned Adjudicating Officer having due regard to the factors mentioned in Section 72. The adjudicating officer has exclusive jurisdiction to deal with the complaints in respect of compensation & legal expenses. Therefore, the complainants are advised to approach the Adjudicating Officer for seeking the relief of litigation expenses.

2. Complaint is **dismissed** with liberty to file fresh complaint before Adjudicating Officer in prescribed form. File be consigned to record room after uploading of this order on the website.

  
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**CHANDER SHEKHAR**  
[MEMBER]

  
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**Dr. GEETA RATHEE SINGH**  
[MEMBER]