



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 1420 OF 2020

Reena

....COMPLAINANT

VERSUS

Aegis Value Homes Pvt Ltd

....RESPONDENT

CORAM:

**Parneet S Sachdev
Nadim Akhtar
Dr. Geeta Rathee Singh
Chander Shekhar**

**Chairman
Member
Member
Member**

Date of Hearing: 20.03.2025

Hearing: 15th

Present:

Ms. Rekha, Counsel for the complainant.

Mr. Neeraj Goel, Counsel for the respondent through VC.

ORDER (PARNEET S SACHDEV-CHAIRMAN)

1. The Authority vide its order dated 08.02.2024 had observed as follows:-

“Ld. counsel for complainant stated that an affidavit for paid amount has been filed in compliance of directions issued vide previous order. He requested that refund of paid amount with interest be awarded to complainant.

On perusal of affidavit, it is found that in respect of paid amount of Rs 6,78,117/- a tabular form containing detail of four cheques bearing no. 350791, 181001, 181003 and 000018 alongwith their dates has been provided. But no proof of any kind pertaining to withdrawal of amount by way of said cheques or bank statements has been attached

along with said affidavit. In such form, said affidavit cannot be relied upon. Therefore, complainant is again directed to file proof of paid amount to respondent. On the other hand, respondent is also directed to clarify the received amount from complainant."


2. Thereafter, complainant sought time to file proof of paid amount on hearing dated 21.03.2024, 22.08.2024 and 21.11.2024. On the last date of hearing, i.e., 21.11.2024, another opportunity was granted to complainant sought time to file requisite documents in compliance of direction issued vide order dated 08.02.2024.
3. As per office record, complainant has not filed any document till date. Today, ld. counsel for complainant again sought some more time to file proof of paid amount stating that complainant could not be contacted till date.
4. It is pertinent to mention here that complainant in captioned complaint has claimed total paid amount of Rs 6,78,117/- . However, adequate proof of claimed paid amount has not been placed on record till date. Without such clarity, it is difficult to verify the total amount paid, validate the refund claim, and determine the exact amount that needs to be refunded, including any interest.
5. Given that the complainant has repeatedly failed to provide/place on record necessary documentary evidence such as receipts of paid amount, to validate relief of refund of paid amount, the Authority concludes that the complainant is not serious about pursuing the case. The Honb'le Apex Court has held in Damodar Lal vs Sohan Devi And Ors on 5 January,



2016, AIR 2016 SUPREME COURT 262 that a case can be dismissed if the complainant does not present evidence and enough opportunity has been provided. Consequently, due to the complainant's lack of engagement and failure to prosecute the matter effectively, Authority decides to **dismiss** the captioned complaint for not placing on record relevant documents. Complainant is at liberty to file fresh complaint if he has the relevant evidence.

6. 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]


DR. GEETA RATHEE SINGH
[MEMBER]


NADIM AKHTAR
[MEMBER]


PARNEET S SACHDEV
[CHAIRMAN]