



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

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

Complaint no.:	461 of 2022
Date of filing:	17.03.2022
First date of hearing:	29.06.2022
Date of decision:	07.07.2025

Kumar Shaishav

R/o 502, Sector - 10 A, Gurugram

.....COMPLAINANT

Versus

Pivotal Infrastructure Pvt Ltd

704-705 JMD Pacific Square Sector 15 part II,

Gurugram

.....RESPONDENT No. 1

Ms Pivotal Infrastructures Pvt Ltd

2nd Floor Om Shubham Tower Neelam Bata Road NIT,

Faridabad

.....RESPONDENT No. 2

Ansal Buildwell Ltd

118 UFF Prakash Deep, 7 Tolstoy Marg,

New Delhi

.....RESPONDENT No. 3

**Present:** - None for the complainant

Adv. Arjun Kundra, proxy counsel for Adv. Tushar Sharma, main counsel  
for respondent no. 1 through VC


Adv. Bhavuk Aggarwal, counsel for respondent no. 2 through VC

**ORDER (NADIM AKHTAR-MEMBER)**

1. Complainant in his complaint has pleaded that complainant was allotted a unit bearing no. 0204, Tower- 19 on the 2<sup>nd</sup> floor in the project of respondent namely "Royal Heritage" at Sector 70, Faridabad, Haryana for total sale consideration of ₹37,32,985/-. That on 31.05.2013 complainant entered into an Apartment buyer agreement. As per clause 8.1 of the apartment buyer agreement *"the company shall endeavour to complete the construction and handover the possession of the said apartment within a period of 42 months from the date of execution of builder buyer agreement or within 42 months from the date of start of construction of said building whichever is later"*. Complainant had made payment of ₹10,85,459/- against the total sale consideration. However, respondent has failed to handover possession of fully developed apartment as per provisions of the agreement. So complainant has prayed to refund the paid amount along with interest and cost of this complaint in favour of complainant.
2. The matter was listed for hearing on multiple occasions. However, it is observed from the record that the Complainant has failed to appear before the Authority on the last three consecutive hearings dated 04.11.2024, 10.02.2025, and 19.05.2025. Despite specific directions issued by the Authority on 19.05.2025 to remain present on the next date of hearing, the Complainant again chose not to appear or comply with the directions of the Authority.



3. Today marks the 12th hearing in the matter and it is evident that the Complainant has failed to prosecute the complaint diligently. There appears to be no justification for the continued absence of the Complainant or non-compliance with the directions of this Authority.
4. Thus, Authority decides to dispose of the captioned **complaint as dismissed** for non prosecution, leaving the complainant at liberty to file fresh complaint.
5. 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.

  
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**CHANDER SHEKHAR**  
[MEMBER]

  
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**NADIM AKHTAR**  
[MEMBER]