



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

Complaint no.:	850 of 2024
Date of filing:	01.07.2025
First date of hearing:	09.09.2024
Date of decision:	07.07.2025

Late Krishan Lal Malik through Smt. Phool Malik

W/o Late Shri Krishan Lal Malik,

Legal representative of her husband Late Krishna Lal Malik,

R/o 1993, 2nd floor, Rani Bagh, Shakur Basti,

Saraswati Vihar, Northwest Delhi-110034.

.....COMPLAINANT

Versus

Housing Board Haryana, Panchkula

C-15, Awas Bhawan, Sector-6, Panchkula.

.....RESPONDENT

CORAM: Nadim Akhtar
Chander Shekhar

Member
Member

Present: Mr. T.P.S Chauhan, counsel for the complainant.

Mr. Gaurav Jaglan, counsel for the respondent through VC.

ORDER (NADIM AKHTAR-MEMBER)

1. Today, Ld. counsel for the respondent stated that reply has been filed by the respondent and cost of ₹5000/- payable to the Authority and ₹2000/- payable to the complainant has been deposited.
2. When the case was called up, no one appeared on behalf of the complainant. However, later on Mr. T.P.S Chauhan, counsel for the complainant appeared and requested to mark his presence. His request is accepted.
3. It is pertinent to mention that both the parties were directed to comply with the order dated 09.09.2024. Relevant part of order is reproduced for reference:

“Perusal of complaint file reveals that present complaint is filed in name of Late Krishan Lal Malik through his wife Smt. Phool Malik. Complainant has attached the death certificate of Late Krishan Lal Malik and no objection (affidavit) from the legal heirs of Late Krishan Lal Malik. However, complainant has not placed on record legal heirs certificate. In order to ascertain legal heirs of Late Krishan Lal Malik, Authority deems it appropriate to direct the complainant to place on record legal heirs certificate issued from the competent Authority before the next date of hearing.

Also, complainant sought relief of refund of ₹1,99,000/-. However, complainant has not placed on record proper proof of paid amount to the respondent. Complainant has placed on record proof of ₹1,20,000/- only, and has not placed on record proof of rest of the payment. Therefore, complainant is directed to place on record proper documents to substantiate the claim of the paid amount.



Authority directs the respondent to file reply within next four weeks from today with an advance copy supplied to the complainant. Complainant is at liberty to file rejoinder, if any, with an advance copy supplied to the respondent."


Despite availing two opportunities from first date of hearing, i.e, 09.09.2024, and passing of 301 days, complainant has not filed any documents to substantiate his claim.

4. Also, notice was served to the respondent on 03.07.2024 which got successfully delivered on 05.07.2024. Despite giving three opportunities, i.e, approximately 301 days from first hearing, i.e., 09.09.2024 and imposition of cost, the respondent failed to submit the reply till date. Submission of the respondent that respondent had filed reply does not hold good, because as per office record, no reply has been filed by the respondent till date.
5. The Real Estate (Regulation and Development) Act, 2016, is a beneficial legislation aimed at providing speedy and efficacious redressal to grievances of allottees and other stakeholders. In furtherance of this objective, the proceedings before the Authority have been made summary in nature. Such expeditious adjudication is achievable only if the parties involved, both the complainant and the respondent, submit their pleadings in a time-bound manner.

In light of the repeated non-compliance despite availing numerous opportunities and keeping in consideration the summary procedure, the



Authority deems it appropriate **dismiss the complaint** for not complying the orders of the Authority. Files be consigned to record room after uploading of order.


.....
CHANDER SHEKHAR
[MEMBER]


.....
NADIM AKHTAR
[MEMBER]

