



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 695 OF 2024

Shobhit Sachdeva

....COMPLAINANT

Versus

M/s Vatika Limited & Others
(Mindspaces, Sector 27-B, Faridabad).

.....RESPONDENT

2. COMPLAINT NO. 702 OF 2024

Shobhit Sachdeva

....COMPLAINANT

Versus

M/s Vatika Limited & Ors
(Mindspaces, Sector 27-B, Faridabad).

.....RESPONDENT

3. COMPLAINT NO. 759 OF 2024

Perminder Singh & Amrinder Singh

....COMPLAINANT

Versus

M/s Vatika Limited & Ors
(Mindspaces, Sector 27-B, Faridabad).

.....RESPONDENT

4. COMPLAINT NO. 760 OF 2024

Manpreet Kaur & Amrinder Singh

....COMPLAINANT

Versus

M/s Vatika Limited & Ors

CORAM:	Parneet S. Sachdev	Chairman
	Dr. Geeta Rathee Singh	Member
	Nadim Akhtar	Member
	Chander Shekhar	Member

Date of Hearing: 10.07.2025

Hearing: 4TH in all cases.

Present: Mr. A.S.Nirmaan, Proxy for Adv. Marinal Sharma, Counsel for the complainants in complaint no. 695 and 702 of 2024 through VC.
Ms. Shikha Yadav, Proxy for Adv. Neelam Singh, Counsel for the complainants in complaint no. 759 and 760 of 2024
Mr. Kamaljeet Dahiya, Counsel for the respondent through VC in all cases.

ORDER (PARNEET S. SACHDEV- CHAIRMAN)

1. On the last date of hearing, i.e. 06.03.2025, respondent was granted last opportunity to file replies in captioned complaints along with imposition of cost of Rs 10,000/- payable to Authority and Rs 5,000/- payable to complainants, failing which defence would be struck off on next date of hearing.
2. On the hearing dated 21.11.2024, respondent was granted opportunity to file reply with cost of Rs 5,000/- payable to Authority and Rs 2,000/- payable to complainant.
3. As per office record, respondent has neither filed reply in captioned complaints nor paid cost till date.

4. Today, ld. counsel for complainants pressed upon relief of assured return. On the other hand, ld. counsel for respondent submitted that issue pertaining to jurisdiction of this Authority involving assured returns is already pending before Hon'ble High Court of Punjab and Haryana in CWP no. 26740 of 2022 titled as Vatika Ltd vs Union of India, listed for hearing on 25.08.2025. She referred judgement dated 29.09.2020 passed by Uttar Pradesh Real Estate Appellate Tribunal, Lucknow in Appeal no. 211/2022 wherein it is observed that there is no provision under the Scheme of Act of 2016 for examining and deciding the issue relating to the provisions of assured return/committed charges in all allotment letter/builder buyer agreement for purchase of flat/apartment/plot. She argued that since the issue of assured returns is under consideration of the Hon'ble High Court, it would be appropriate to await their decision.
5. In these circumstances, Authority is of view that respondent, despite availing numerous opportunities had failed to file replies in captioned complaints. There is no justification provided by respondent for not filing of reply even after 4th hearing of the case. In these circumstances, defence of respondent stands struck off. Cases will be proceeded on merits.
6. In respect of the assured returns, it is observed that in cases where the complainants have given up their claims pertaining to assured returns, the Authority has been adjudicating and passing final orders. However, in this case



the complainants want to pursue their claim regarding assured returns. Therefore, in view of judicial discipline, the Authority deems it appropriate to await the decision of the Hon'ble High Court.

7. Keeping in view the aforesaid circumstances and the principle of judicial propriety, the Authority decides to adjourn the proceedings sine die to be fixed as and when the Hon'ble High Court finally adjudicates upon the issue pending before it. Files be consigned to the record room clearly marked, after uploading of order on the website of the Authority.


CHANDER SHEKHAR
[MEMBER]


DR. GEETA RATHEE SINGH
[MEMBER]


NADIM AKHTAR
[MEMBER]


PARNEET S. SACHDEV
[CHAIRMAN]