



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

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

Complaint no.:	2453 of 2023
Date of filing:	15.11.2023
First date of hearing:	20.12.2023
Date of decision:	08.09.2025

**Mahavir Singh Malik**

H.no. 557 Sector-15 SONIPAT-  
131001

.....COMPLAINANT

VERSUS

**Housing Board Haryana**  
through its Chairman,  
Plot no. C-15, Awas Bhawan  
Sector-6 Panchkula

.....RESPONDENT

**Present:** - None for the complainant

Adv. Arvind Seth, counsel for respondent

**ORDER (NADIM AKHTAR-MEMBER)**

1. Captioned complaint was listed for hearing on 26.08.2025. However due to constitution of Benches, matter has been taken up today for hearing.
2. Relevant part of last order dated 13.05.2025 is reproduced below:
  1. *"Reply not filed by the respondent till date. Right of defense of respondent is struck off.*
  2. *Further, complainant was also directed to submit proof with respect to receiving of ₹5,91,861/- from the respondent. Complainant has also not complied with the said order.*
  3. *Complainant is directed to submit proof with respect to receiving of ₹5,91,861/- from the respondent within 15 days failing which case will be dismissed for want of better particulars.*
  4. *Case is adjourned to 26.08.2025."*
3. Today, when the case was called, none appeared for both the parties.
4. Counsel for the respondent appeared later and requested the Authority to mark his presence. His requested is accepted.
5. The Authority, upon perusal of the case record, notes the following chronology of non-compliance:
  - i. **Vide order dated 17.09.2024**, Ld. counsel for the complainant submitted that he has received refund of an amount of ₹5,91,861/- from the respondent. The complainant was directed to submit proof with respect to this payment. Further, perusal of file showed that complainant has annexed an illegible bank receipt for proof of payment of ₹1,88,000/-. Complainant



was directed to submit proper proof of payment for this amount and the matter was adjourned to **04.02.2025**.

- ii. On **04.02.2025**, ld. Counsel for the complainant sought an adjournment for compliance of last order. His request was accepted. None appeared for the respondent and the last opportunity was granted to the respondent to file reply failing which right of defense will be struck off and the matter will be decided on the record available on file. The case was thereafter adjourned to **13.05.2025**.
- iii. On **13.05.2024**, none appeared for both complainant and respondent. Also no proof of receipt of amount ₹ 5,91,861/- was filed by the complainant. Consequently, complainant was directed to submit proof with respect to receiving of Rs. 5,91,861/- from the respondent, within 15 days failing which case will be dismissed for want of better particulars. A last opportunity was granted to the complainant. No reply was filed by the respondent, therefore, right of defense of respondent was struck off and the matter was adjourned to **26.08.2025**.
- iv. However, due to reconstitution of benches, matters listed for 26.08.2025 have been taken up today for hearing, i.e., on **08.09.2025**.



- v. Today, again no one represented the complainant and no detail as sought by the Authority has been filed.
6. The Authority observes that repeated adjournments have been sought by the complainant merely for the purpose of placing on record proof of payment of refund amount received from the respondent. The Authority is of the considered view that proceedings under the Real Estate (Regulation and Development) Act, 2016 are summary in nature, intended for expeditious adjudication of disputes. In the present case, sufficient and repeated opportunities have already been extended to the complainant from as early as 17.09.2024 till date, for compliance with the directions of the Authority.
7. Despite ample time and liberty being granted, the complainant has failed to demonstrate any bona fide intent to pursue the matter diligently or to support his claim. This conduct clearly reflects gross negligence, lack of seriousness, and deliberate non-compliance on the part of the complainant in pursuing his own case.
8. It is further noted that a considerable delay and non-cooperation which has not only hampered the progress of the case but has also resulted in unnecessary wastage of time and resources of the Authority.





9. In view of the above circumstances, and considering the continued non-compliance of directions issued by the Authority, the present complaint is hereby **disposed off for non-prosecution**, with **liberty to the complainant to file a fresh complaint** in accordance with law, with all requisite documents, properly annexed and reliefs appropriately framed.

File be consigned to the record room after uploading of this order on the website of the Authority.



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**NADIM AKHTAR**  
**[MEMBER]**