

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No. 59 of 2025

Date of Decision: August 26, 2025

Sonu Jain, W/o Sh. Deepak Jain, R/o KP-58, Pitampura
Delhi-110034 Delhi

Appellant.

Versus

M/s TDI Infrastructure Pvt. Ltd. having its Registered Office at
2nd Floor Mahindra Tower, 2A Bhikaji Cama Place, Delhi-110066

Respondent

Present : Mr. Karan Dang, Advocate for the appellant.

CORAM:

**Justice Rajan Gupta
Rakesh Manocha**

**Chairman
Member (Technical)**

ORDER:

RAJAN GUPTA, CHAIRMAN

Present appeal is directed against order dated 18.11.2024, whereby the complaint filed by the complainant (appellant herein) has been dismissed with the observation that the same is ill-advised and wastage of time of the Authority¹.

2. The complainant filed the complaint on 14.10.2024 before the Authority with the plea that complete possession of plot measuring 224.44 square yards, as stated in the Conveyance Deed, be granted to her, along with certain ancillary prayers.

¹ Haryana Real Estate Regulatory Authority, Panchkula

3. A perusal of the record reveals that the complainant applied for a plot in project "TDI City-Kundli", date of booking being 17.01.2005. Allotment letter was issued to her on 18.06.2005 and Conveyance Deed was executed on 19.11.2007. As per record, basic sale consideration of the plot was Rs.9,28,059.4/- and complainant remitted an amount of Rs.10,01,115/-.

4. Admittedly, the complainant is in possession of the plot in question. However, she has certain grievances regarding the area on which construction has been raised.

5. First and foremost, it is to be seen whether the complainant could have invoked jurisdiction of the Authority under the Act². It appears that the complaint was preferred almost more than 16 years after execution of the Conveyance Deed. The allotment was made in the year 2005; Plot Buyer's agreement was entered into in 2007 and Conveyance Deed was executed on 19.11.2007. It is inconceivable that the complainant would not be aware of the fact that jurisdiction of the Authority could not have been invoked, as the enactment came into force on 28.07.2017. It is evident that the complainant has merely wasted precious time of the Authority as well as this Tribunal by raising frivolous pleas, that too, after a lapse of one and a half decade of the alleged cause of action.

6. The appeal is without any merit and is hereby dismissed with costs of Rs.20,000/- to be remitted to Poor Patients' Fund, PGIMER, Chandigarh.

² The Real Estate (Regulation and Development) Act, 2016

7. Copy of this order be sent to the parties/their counsel and the Authority.

8. File be consigned to records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)

August 26, 2025
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