



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 63 OF 2025

Mrs. Manjit Kaur & Vijay Naresh Negi

....COMPLAINANTS

Versus

1. Bhoomi Infrastructure Company Amazon Defence County
Global Land Masters Infrastructure Company (Panchkula)
2. Lt. Col. Retired Surinder Singh Deswal
3. Lt. Col. Retired Surinder Singh Deswal
4. Municipal Corporation Panchkula
5. Director Town & Country Planning

....RESPONDENTS

CORAM:

Parneet S Sachdev

Nadim Akhtar

Dr. Geeta Rathee Singh

Chander Shekhar

Chairman

Member

Member

Member

Date of Hearing: 30.10.2025

Hearing: 3rd

Present: None for complainants

None for respondents

ORDER (PARNEET S SACHDEV- CHAIRMAN)

1. Notices dated 07.02.2025 were issued to all the respondents. The said notices were duly served upon Respondent Nos. 3 and 4. However, the notices sent to Respondent Nos. 1, 2, and 5 were returned undelivered.
2. Today is the third date of hearing in the matter. However, as on the previous occasions, none has appeared on behalf of either party.
3. The details of the earlier proceedings are briefly recapitulated as under:
 - i. **First hearing dated 20.03.2025:** None appeared on behalf of either party. Respondent Nos. 2 and 3 were directed to file their reply within four weeks, with an advance copy to the complainant.
 - ii. **Second hearing dated 17.07.2025:** Again, none appeared on behalf of either party. The Authority recorded as follows:

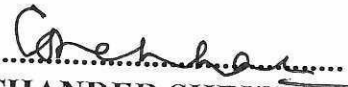
“The notices have not been delivered to Respondent Nos. 1, 2, and 5. In view thereof, the Authority directs the complainant to collect dasti notices from the office of the Registry and ensure service upon Respondent Nos. 1, 2, and 5 within fifteen (15) days from the date of uploading of this order. The complainant is further directed to file the service report before the Authority on or before 15.08.2025. It is made clear that this shall be the last opportunity granted to the complainant to appear and pursue the case. Failure to comply with the above directions or to appear on the next date may result in dismissal of the complaint for non-prosecution. Ld. Counsel for the complainant again sought some time to comply with order dated 06.12.2023. His request was accepted.”
4. As per office record, it is revealed that despite the above directions, the complainant has neither effected dasti service of notices upon Respondent Nos. 1, 2, and 5 nor filed the service report before the Authority within the stipulated



time. The complainant has also failed to appear on three consecutive dates of hearing, despite having been granted sufficient and repeated opportunities.

5. It is pertinent to note that the complaint was filed on 30.01.2025, and as on today, 30.10.2025, a period of 272 days has elapsed. This inordinate delay, attributable entirely to the complainant's inaction, has resulted in unwarranted obstruction to the timely adjudication of the matter.
6. In the case of **Kedar Nath Kohli vs. Sardul Singh**, 2003 VIII AD (Delhi) 313, the Hon'ble Delhi High Court upheld the maxim *Actori incumbit onus probandi* meaning that the burden of proof lies upon the claimant. The complainant, by failing to take even minimal steps to substantiate his own claims or comply with the directions of the Authority, has demonstrated a lack of due diligence and seriousness in prosecuting the matter.
7. The Authority further observes that the Real Estate (Regulation and Development) Act, 2016, is a beneficial legislation aimed at ensuring speedy and efficacious redressal of grievances of allottees and other stakeholders. Proceedings under the Act are summary in nature to facilitate expeditious disposal. Such objectives, however, can only be achieved when the parties, particularly the complainant, actively cooperate and pursue their case in a time-bound manner. The prolonged and unjustified delay caused by the complainant's repeated non-appearance and non-compliance reflects a clear lack of bona fides and cooperation in the proceedings.

8. In view of the complainant's persistent failure to appear, comply with the Authority's directions, and prosecute the case, the Authority is constrained to dismiss the complaint for non-prosecution and for want of supporting evidence.
9. Accordingly, the complaint stands **dismissed for non-prosecution** in view of the above observation. File be consigned to the record room after uploading this order on the website of the Authority.


CHANDER SHEKHAR
[MEMBER]


DR. GEETA RATHEE SINGH
[MEMBER]


NADIM AKHTAR
[MEMBER]


PARNEET S SACHDEV
[CHAIRMAN]