

| <b>PROCEEDINGS OF THE DAY</b> |                                                                                                    | <b>87</b> |
|-------------------------------|----------------------------------------------------------------------------------------------------|-----------|
| Day and Date                  | Tuesday and 11.11.2025                                                                             |           |
| Complaint No.                 | MA NO. 593/2025 in CR/5238/2022 Case titled as Mukesh Bhatnagar VS Sunrays Heights Private Limited |           |
| Complainant                   | Mukesh Bhatnagar                                                                                   |           |
| Represented through           | Shri Tushar Bhatnagar Advocate                                                                     |           |
| Respondent                    | Sunrays Heights Private Limited                                                                    |           |
| Respondent Represented        | Shri Tushar Behmani Advocate                                                                       |           |
| Last date of hearing          | Restoration application/30.9.2025                                                                  |           |
| Proceeding Recorded by        | Naresh Kumari and HR Mehta                                                                         |           |

### **Proceedings-cum-order**

The present complaint was filed on 20.07.2022 and reply on behalf of respondent was received on 27.06.2024.

The aforesaid complaint was dismissed by the Authority on account that the complaint was filed by the complainant, Mukesh Bhatnagar who is also a special power of attorney and not an allottee. The said order of the Authority has been reproduced hereunder: -

*"The present complaint is not maintainable as the complaint has been filed in the name of allottee as the instant complaint has been filed by Mukesh Bhatnagar who is special power of attorney holder and not an allottee and hence, the present complaint is dismissed with liberty to file fresh complaint by the allottee."*

The complainant-applicant filed an application dated 20.08.2025 for restoration of the complaint stating that the complainant is the father of the original allottee Shray Kumar Bhatnagar and it was only when the original allottee was travelling abroad the father of the allottee took the power of attorney only to fight the case against the respondent and nothing less and nothing more. The power of attorney is issued in favour of the individual to fight/make submissions/defend the cases that are or might be filed against them. Nonetheless, keeping in view of the directions of the Authority, the original allottee filed an application which was fully allowed by the Authority



**HARERA**  
**GURUGRAM**

**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
**GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MA 593/25 in CR 5238/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

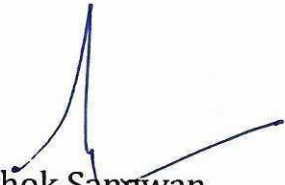
नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

and it was shocking to the complainant that the Authority dismissed the complaint without any last opportunity to the complainant wherein, the Authority was kind enough to grant 2 years to the respondent to file a reply to the complainant, which eventually having left with no other option, the Authority had to strike off the right to defense of the respondent. The counsel for the complainant further submitted that he has paid more than 80% of the total consideration amount of the flat.

The authority is of the view that there is no ground to allow the application for restoration of the complaint as the same has already been dismissed with liberty to file complaint by the allottee. In view of the above, the application for restoration of the complaint is disposed off.

File be consigned to the registry.

  
P.S. Saini  
Member

  
Ashok Sangwan  
Member  
11.11.2025