



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 719 OF 2025

Cadambangudi Vaidyanathan Kamesh

.....COMPLAINANT

Versus

Vatika Ltd

.....RESPONDENT

CORAM:

Parneet S Sachdev

Chairman

Dr. Geeta Rathee Singh

Member

Chander Shekhar

Member

Date of Hearing: 13.11.2025

Hearing: 2nd

Present: Mr. Sagar Chawla, Counsel for the complainant, through VC.
Ms. Vertika H.Singh, Counsel for the respondent through
VC.

ORDER (PARNEET S SACHDEV-CHAIRMAN)

1. The case was listed for 06.11.2025. However, due to reconstitution of benches, it has been taken up today.
2. As per last order dated 07.08.2025, respondent was given an opportunity to file reply. Ld. counsel for respondent submitted that reply has been filed on

07.11.2025. Reply dated 07.11.2025 filed by the respondent has been taken on record.

3. Upon perusal of the reply dated 07.11.2025, it is revealed that the unit in question was jointly allotted to the complainant and his mother in the year 2014. It is an admitted position that the mother being co-allottee, expired on 21.09.2023, whereas the present complaint has been instituted solely by the complainant in 2025. In case the Allottee is deceased, it is vital for the Authority, to determine who will enter the shoes of the deceased 'Co-allottee'. Unless the new 'Allottee(s)' are clearly established, this Authority cannot adjudicate upon a complaint that requires a relief to an Allottee vis-à-vis the promoter. In such circumstances, the complaint cannot be adjudicated in the absence of the legal heirs of the deceased co-allottee, who are necessary and proper parties to the proceedings.
4. In view thereof, the complainant is at liberty, in the meantime, to obtain the legal heir certificate and furnish all requisite documents essential for proper adjudication. The present complaint is accordingly dismissed without going into the merits, for want of necessary documentation required for its adjudication. As and when a legal heir certificate in the prescribed format is issued by the competent authority, the legal heir(s) will have the liberty to file a fresh complaint.



5. Accordingly, the present complaint stands dismissed. File be consigned to the record room.


CHANDER SHEKHAR
[MEMBER]


DR. GEETA RATHEE SINGH
[MEMBER]


PARNEET S SACHDEV
[CHAIRMAN]

