



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

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

### COMPLAINT NO. 1402 OF 2019

Neelam Bhatia

....COMPLAINANT

Versus

TDI Infracorp (India) Ltd.

....RESPONDENT

**Date of Hearing:** 18.11.2025

**Hearing:** 1<sup>st</sup> (after reopening)

**Present:-** Adv. Himanshu Jain, Learned counsel for the Complainant  
through video conference

None for the respondent

### **ORDER (DR. GEETA RATHEE SINGH – MEMBER)**

1. Present complaint was disposed of vide order dated 07.12.2022 as dismissed in default for non- prosecution.
2. Complainant filed an application dated 27.08.2025 under Section 35(2) of the Act for review/recall of order dated 07.12.2022. It has been submitted that

due to non-appearance and miscommunication by the earlier counsel, the applicant/complainant could not appear personally or through counsel, and consequently, the Hon'ble Authority was pleased to dismiss the complaint in default vide order dated 07.12.2022. It has further been submitted that this Hon'ble Authority has the inherent power to review and recall its own order to secure the ends of justice, especially where a matter has been decided ex parte or dismissed in default, in light of the principles of natural justice and in exercise of procedural powers under Section 35(2) of the Real Estate (Regulation and Development) Act, 2016. Moreover, applicant has further submitted that unless the impugned order dated 07.12.2022 is reviewed and the matter restored to its original number, the applicant will suffer irreparable loss and injury. Further, applicant only came to know about the dismissal of the complaint when cancellation notice dated 29.01.2025 was sent to the applicant by the respondent. The complainant has prayed for restoration of original complaint through this application.

3. In view of above said application, it is observed that captioned complaint was dismissed in default by the Authority on 07.12.2022 for the reason that no one appeared on behalf of complainant for last four hearings and even on 07.12.2022, no one was present on behalf of complainant, despite been granted multiple opportunities. The Authority does not have power to recall/review its own order, hence, application dated 27.08.2025 for recall order dated 07.12.2022 is rejected.



However, since the merits of the case were never touched upon by the Authority, complainant may file a fresh complaint.

4. **Disposed of.** Application be consigned to record room after uploading of the order on the website of the Authority.

  
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**DR. GEETA RATHEE SINGH**  
**[MEMBER]**