

<b>PROCEEDINGS OF THE DAY</b>		<b>88</b>
Day and Date	Friday and 13.02.2026	
Complaint No.	MA NO. 871/2025 in CR/3055/2024 Case titled as Sunita Roy VS Sai Aaina Farms Private Limited	
Complainant	Sunita Roy	
Represented through	Shri Nawal Kishore Advocate	
Respondent	Sai Aaina Farms Private Limited	
Respondent Represented	None	
Last date of hearing	Application u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### Proceedings-cum-order

An application under Section 39 of the Real Estate (Regulation and Development) Act, 2016 was received on 24.12.2025 seeking rectification and reconsideration of the order dated 31.10.2025 passed in **Case No. 3055/2024 titled *Sunita Roy vs. Sai Aaina Farms Pvt. Ltd.***

The complainant had originally approached the Authority seeking specific reliefs, inter alia, to direct the respondent to complete the construction of the project and, after obtaining the Occupancy Certificate, to hand over possession of the unit admeasuring the agreed area along with two covered car parking spaces. The complaint was supported by documentary evidence and photographs demonstrating inordinate delay in possession, lack of basic amenities, and failure on the part of the respondent to obtain and furnish the Occupancy Certificate.

It is respectfully submitted that the order dated 31.10.2025 does not adequately consider several material facts and legal issues which, if properly appreciated, would have led to a different conclusion. It is pertinent to mention that the complainant never sought refund of the deposited amount with interest.

It is further submitted that the relief of refund along with interest has been granted by the Authority suo motu, without any specific prayer to that effect by the complainant.

In view of the above facts and circumstances, it is respectfully prayed that this Authority may be pleased to rectify and reconsider the order dated 31.10.2025, passed in Case No. 3055/2024, in light of the grounds raised herein, and pass such



HARERA  
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HARYANA REAL ESTATE REGULATORY AUTHORITY  
GURUGRAM

हरियाणा मू संपदा विनियामक प्राधिकरण, गुरुग्राम  
MANE S. H. 2025/2026/2024

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

further orders as may be deemed fit and proper in the interest of justice.

In view of the multiple suo-motu proceedings initiated against the promoter, the negligible physical progress of the project, freezing of project accounts, blacklisting of the promoter by the competent authority, and the revocation of the project registration under Section 7(1) of the Act, 2016 vide order dated 11.03.2024, the project stands effectively discontinued. Owing to these serious violations, there exists no possibility of completion of the project in the foreseeable future, and the relief of possession cannot be granted. Accordingly, in the interest of natural justice and to safeguard the statutory rights of the allottee, the Authority is of the considered view that the complainant is entitled to refund of the amount paid along with interest under Section 18(1)(b) read with Section 19(4) of the Act, 2016.

Accordingly, the application under Section 39 of the Act, 2016 filed by the complainant is dismissed.

Arun Kumar  
Chairman  
13.02.2026