



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

### COMPLAINT NO. 1903 OF 2024

Major Dhirendra Lamba

....COMPLAINANT(S)

VERSUS

Puri Construction Pvt. Ltd.

....RESPONDENT(S)

**Coram:**

**Sh. Chander Shekhar**

**Member**

**Date of Hearing: 20.02.2026**

**Hearing: 5<sup>th</sup>**

**Present: -**

Mr. Vivek Sheoran, Counsel for the Complainant.

Ms. Tanika Goyal, Counsel for the Respondent.

#### **ORDER:**

The case was initially fixed to be heard on 20.03.2026. It is being taken up today as the complainant filed an application on 05.02.2026 for preponement of the complaint to allow him to withdraw the present complaint with liberty to file afresh with better particulars.

2. Upon notice of application, Mr. Vivek Sheoran, Advocate for the complainant and Ms. Tanika Goyal, Advocate for the respondent have appeared.

Learned counsel for the complainant has requested to allow the complainant to withdraw the present complaint with liberty to file afresh with better particulars

as certain important facts which are just and proper for the adjudication of the complaint could not be presented before this Authority.

3. Learned counsel for the respondent has filed rebuttal to the application of the complainant on 18.02.2026, wherein she has objected to the withdrawal of the present complaint with liberty to file afresh with better particulars as it would encourage procedural abuse and cause prejudice to the respondent. She has reiterated the same contentions during the course of hearing today.

4. The Authority has considered the submissions advanced by the learned counsels for both the parties. It is a settled position of law that a complainant does not possess an absolute right to withdraw a complaint with liberty to file a fresh one. Such liberty is always subject to judicial discretion. However, where the circumstances warrant and in order to ensure proper and effective adjudication of the dispute, such a prayer may be allowed to meet the ends of justice.

In the present case, it is observed that no adverse order has been passed against either of the parties till date. The matter is still under adjudication and permitting withdrawal of the complaint at this stage would not prejudice or adversely affect the rights of either party.

Further, under Section 38(2) of the Real Estate (Regulation and Development) Act, 2016, the Authority is empowered to regulate its own

procedure. In exercise of the said power and considering the facts and circumstances of the case, this Authority deems it appropriate to allow the complainant to withdraw the present complaint with liberty to file afresh.

5. It is clarified that the liberty granted to file the matter afresh is extended in the interest of justice and on the presumption of bona fide intention on the part of the complainant. Such liberty shall be exercised with due care and prudence and shall not be misused to abuse the process of law or to cause any prejudice to the opposite party.

6. In view of the above, the present complaint is allowed to be **disposed of as withdrawn** with liberty to file afresh. File be consigned to the record room after uploading the order on the website of the Authority.

  
.....  
(CHANDER SHEKHAR)  
MEMBER

20.02.2026  
Raghav Jain  
(Law Associate)