



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

## COMPLAINT NO. 2677 OF 2022

Antakala Hiwarkar

....COMPLAINANT

Versus

1. SRS Real Estate Ltd.
2. Canara Bank
3. Enforcement Directorate

....RESPONDENT(S)

**Date of Hearing:** 24.02.2026

**Hearing:** 12<sup>th</sup>

**Present:-** Adv. Saket Singh, Learned Counsel for the Complainant through VC

None for respondent no. 1, 2 and 3.

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

1. Adv. Pranjal P Chaudhary and Adv. Lokesh Narang, appeared on behalf of judgment debtor no. 1 and 3 respectively and have not objected to the acceptance of application for restoration and stated that they will file their vakalatnama during the course of the day. Since, no vakalatnama/power of attorney has been placed on record in the name of Adv. Pranjal P Chaudhary

and Adv. Lokesh Narang to appear on behalf of the answering judgment debtor no. 1 and 3 respectively, hence, their presence is not being marked.

2. Vide order dated 27.01.2026 certain directions were given to complainant, relevant part of said order is reproduced below for reference:

4. Further, vide order dated 28.10.2024 it was observed that complainant has not placed on record all the receipts of paid amount, in the absence of which, the amount of interest cannot be ascertained. Therefore, complainant was directed to file all the receipts of the paid amounts. In case, receipts are not available, complainant has to file an affidavit wherein, a chart in tabular form be prepared mentioning therein the exact amounts of money paid with dates on which said amounts were paid by the complainant to respondent. The said affidavit was to be duly supported by bank statement of the account of complainant from which payments were made, highlighting the entries of amount paid. Accordingly, complainant was directed to file receipts or an affidavit as stated above within two weeks.
5. The matter was thereafter heard on 10.02.2025, 19.05.2025 and 07.07.2025, but order dated 28.10.2024 was not complied by the complainant. The complainant then filed an application on 03.09.2025 seeking relief of possession along with delay interest, however all the receipts of the paid amount have still not been submitted by her.
6. Today, learned counsel for the complainant stated on instructions that complainant is willing to withdraw from the project and wants refund of the amount deposited by her.
7. In view of above, it is observed that complainant is changing her stand again and again and it is not possible for the Authority to rely on oral statements. Therefore, last opportunity is granted to the complainant to file application for amendment of relief clause if relief of refund is being sought by her.
8. Further, Authority has given numerous opportunities to the complainant to provide proper receipts for the amounts paid by her but till date same have not been filed. The complainant has only placed on record payment receipts for an amount of ₹8,86,438/- but has claimed that a sum of ₹25,63,822/- stands paid to the respondent i.e. proof of payment of ₹16,77,384/- has not been placed on record. Although the ledger issued by respondent which is attached with the complaint reveals that a sum of ₹25,63,822/- has been paid to the respondent but the dates on which said payment has been made is not specified due to which it will not be possible for the Authority to calculate interest



*payable to her. Therefore, last opportunity is granted to the complainant to place of record proof of payment as directed vide order dated 28.10.2024 failing which the Authority will be constrained to consider the amounts for which receipts have been annexed."*

3. Neither any application for amendment of relief clause has been filed nor proof of payment has been submitted by complainant till date. Learned counsel for the complainant is seeking more time to comply with the orders of the Authority.

4. In view of above, it is observed that the Authority has given numerous opportunities to complainant to place on record the proof of payments made towards the unit in question. The Authority is of the considered view that proceedings under the Real Estate (Regulation and Development) Act, 2016 are summary in nature, intended for expeditious adjudication of disputes. In the present case, sufficient and repeated opportunities have already been extended to the complainant from as early as 28.10.2024 till date for compliance with the directions of the Authority. Further, the complainant is interested to withdraw from the project and wants refund of the amount deposited but application seeking amendment of relief clause has not been filed till date.

5. Despite ample time and liberty being granted, the complainant has failed to demonstrate any bona fide intent to pursue the matter diligently or to support her claim by filing even the most basic documents such as an affidavit or payment receipts. This conduct clearly reflects gross negligence, lack of seriousness, and deliberate non-compliance on the part of the complainant in



pursuing her own case which has not only hampered the progress of the case but has also resulted in unnecessary wastage of judicial time and resources.

6. In view of the above circumstances, and considering the continued non-compliance of directions issued by the Authority, the present complaint is hereby **dismissed for want of proper/complete documents**, with liberty to the complainant to file a fresh complaint in accordance with law, with all requisite documents properly annexed and reliefs appropriately framed.

7. In view of the aforesaid observation, the present case is hereby dismissed and accordingly stands **disposed of**. File be consigned to the record room after uploading of this order on the website of the Authority.



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*Geeta Rathee*

DR. GEETA RATHEE SINGH  
[MEMBER]