



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

## COMPLAINT NO. 1860 OF 2025

Jagdish Kumar kathpal deceased through his Lrs Manju Kathpal and Others  
....COMPLAINANT

VERSUS

Aarcity Builders Pvt. Ltd. ....RESPONDENT

<b>CORAM:</b>	<b>Parneet S Sachdev</b>	<b>Chairman</b>
	<b>Nadim Akhtar</b>	<b>Member</b>
	<b>Dr. Geeta Rathee Singh</b>	<b>Member</b>
	<b>Chander Shekhar</b>	<b>Member</b>

**Date of Hearing:** 05.03.2026

**Hearing:** 1<sup>st</sup>

**Present:** - Adv. Anurag Jain, Counsel for the complainant through VC  
Adv. Kamal Dhaiya, Counsel for the respondent through VC

### ORDER (PARNEET SINGH SACHDEV - CHAIRMAN)

1. As per office record, notice issued to the respondent was delivered on 04.02.2026.
2. Adv. Kamal Dhaiya, appeared for the respondent and sought time to file reply.

W

3. During hearing, it has come to the notice of Authority that complainant had not placed on record the legal heir certificate. Authority is of the view where legal entitlement to a property or possession is claimed by persons other than the original allottee, documentary proof of heirship or succession is essential to prevent conflicting claims and to ensure lawful adjudication. Additionally, the complainant has failed to file the receipts of payment which are essential to verify the quantum and timeline of consideration paid to the respondent. Without these documents, the claim itself remains unsubstantiated.
4. To, this counsel for complainant stated that death certificate has been annexed with the file. He sought one opportunity to place on record legal heir certificate as well as receipts of the paid amount.
5. Authority observes that present complaint was filed on 16.01.2026, since *then 49 days have* already passed and complainant had failed to file a complete set of necessary documents which establish their own case. Since, proceedings before this Authority is summary in nature, are nevertheless judicial in character. The scheme of the RERA Act mandates expeditious adjudication. Section 29 envisages disposal of complaints as expeditiously as possible. Such legislative intent would be defeated if complainants are permitted to stall proceedings through procedural non-compliance.



6. The conduct of the complainant in the present case reflects a lack of diligence. The *Supreme Court in Bimal Kumar and Another v. Shakuntala Debi and Others, (2012) 3 SCC 548*, has held that a litigant who approaches a judicial forum must prosecute his case with due diligence and cannot seek indulgence of the Court by adopting a casual approach.
7. In view of the aforesaid observation, the present case is hereby **dismissed** and accordingly stands ***disposed of*** with liberty given to the complainant to file a fresh complaint with better particulars.
- File be consigned to the record room after uploading of this order on the website of the Authority.

  
.....  
CHANDER SHEKHAR  
[MEMBER]

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

  
.....  
NADIM AKHTAR  
[MEMBER]

  
.....  
PARNEET S SACHDEV  
[CHAIRMAN]