

**BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL**

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**Date of Decision: March 11,2026**

**(1)Appeal No. 376 of 2025**

M/s Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001. Also at: SCO-41, District Centre, Sector-56, Gurugram, Haryana-122001

Appellant.

Versus

Avneet Dhaka C/o Mr. Sukhdev Singh, F-42, South City 1, Gurgaon, Haryana, 122001

Respondent.

**(2)Appeal No.409 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Mohinder Kumar resident of A-66, Devli, Extn., New Delhi 110062

Respondent

**(3) Appeal No.410 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Appeal No. 376 of 2025 & connected appeals

Hanuman Prashad resident of House No.B-54, Sanjay Gram,  
Old Delhi Road, Opposite Sector 14, Gurgaon, Haryana  
122001

Respondent

**(4) Appeal No.411 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Nishant Kumar Singh resident of Lehra Chauk, College Road,  
Kishanganj, Bihar 885108

Respondent

**(5) Appeal No.412 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Bhumesh resident of Geeta Bhawan Mandir, New Colony,  
Gurugram, Haryana 122001

Respondent

**(6) Appeal No.413 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16

Appeal No. 376 of 2025 & connected appeals

K.G. Marg, New Delhi 110001.

Appellant

Versus

Deepak Mathur resident of B-27, Mahavir Vihar, Near Ram  
Johri Mandir, Sector 1, Dwarka, New Delhi 110045

Respondent

**(7) Appeal No.414 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Devid Kumar Sharma resident of House No.A-27, Phase-I, Aya  
Nagar, New Delhi 110047

Respondent

**(8) Appeal No.415 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Jai Prakash Sharma resident of B-126, Paramount Golf Forest  
Villas, Opp. Zeta-2, Greater Noida, Uttar Pradesh 201306

Respondent

**(9) Appeal No.416 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Rakesh Arora resident of 75, CSP Flats, East of Kailash, New Delhi 110065

Respondent

**(10) Appeal No.417 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Rashi Kapoor resident of A-281, South City-I, Gurugaon, Haryana 122001

Respondent

**(11) Appeal No.418 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Appeal No. 376 of 2025 & connected appeals

Chander Kanta Sharma resident of 565/28, Gali No.10, Jyoti Park, Gurgaon Haryana 122001

Respondent

**(12) Appeal No.419 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Sunil Gupta resident of House No.954-B, Mohalla Gobindgargh, Jalandhar, Punjab 144001

Respondent

**(13) Appeal No.396 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Sonam Tashi resident of 37D, Pocket-C, Siddharth Extension, New Delhi 110014

Respondent

**(14) Appeal No.398 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Deepali Aneja resident of 3066, SBI Officers Societies, Dector  
49D, Chandigarh 160040

Respondent

**(15) Appeal No.399 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Haripal Malik resident of House No.777, Ward No.31, Gali  
No.1, New Court Road, Ashok Vihar, Sonipat Haryana 131001

Respondent

**(16) Appeal No.400 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Shivani Sharma resident of 35/8, Ground Floor, East Patel  
Nagar, New Delhi 110008

Respondent

**(17) Appeal No.401 of 2025**

Appeal No. 376 of 2025 & connected appeals

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Sunny Nagpal resident of 1A-70-B, NIT-I, Faridabad Haryana 121001

Respondent

**(18) Appeal No.392 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Versha Shrivastava resident of 14B, DDA Flats, Ber Sarai, New Delhi 110016

Respondent

**(19) Appeal No.393 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Anamika Sen resident of B-5/103, Palm Grove Heights, Ardee City, Sector 52, Gurugram Haryana

Respondent

**(20) Appeal No.394 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Ravindra Singh resident of RZ416, Ground Floor, Street No.13, Tughalakabad Extension, New Delhi

Respondent

**(21) Appeal No.408 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Ekta Kumar resident of A-35, Sham Nagar, Tilak Nagar, S.O. West Delhi 110018

Respondent

**(22) Appeal No.403 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Appeal No. 376 of 2025 & connected appeals

Versus

Ashish Agarwal resident of 24A, Shree Ram Colony, Opposite  
Khetan Hospital, Sikar Road, Jaipur Rajasthan 302039

Respondent

**(23) Appeal No.404 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Aproova Verma resident of 1274, C-Block, Peach Tree Road,  
Sushant Lok-I, Gurugram 122001

Respondent

**(24) Appeal No.406 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Sonia Prasad resident of D-11, Second Floor, The Palladian,  
May ELD Garden, Sector 50, Gurgaon Haryana 122018

Respondent

**(25) Appeal No.407 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized

Appeal No. 376 of 2025 & connected appeals

Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Swadesh Kumar Dwivedi resident of 110A/D, Barra-2, Near  
Saraswati Dham, Kanpur Uttar Pradesh 208027

Respondent

**(26) Appeal No.402 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Amit Kumar Anand resident of House No.3332, Sector 46,  
Chandigarh 160047

Respondent

**(27) Appeal No.420 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Roopak Gupta resident of House No.16A, Lane No.7, Guru  
Amardas Avenue, Airport Road, Ajnala Bye-Pass, Amritsar  
Punjab

Respondent

**(28) Appeal No.421 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Deepak Sharma resident of 5/105, Shivaji Nagar, Gurgaon Haryana 122001

Respondent

**(29) Appeal No.422 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Anil Kumar Yadav resident of 49, Simari Kamlabad Patti Ajamal, Bibiyapur, Thana, Barabanki Uttar Pradesh 225119

Respondent

**(30) Appeal No.437 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Appeal No. 376 of 2025 & connected appeals

Versus

Ashish Yadav resident of VPO Hasan Nagar, Teshil Sampla,  
District Rohtak Haryana

Respondent

**(31) Appeal No.438 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Vishruta Mattu resident of 705A, Beverly Park-I, Opposite  
DLF-II, MG Road, Near MG Road Station, Gurgaon Haryana  
122002

Respondent

**(32) Appeal No.439 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized  
Representative. Registered Office at: 211, Ansal Bhawan, 16  
K.G. Marg, New Delhi 110001.

Appellant

Versus

Dilvinder Singh resident of 2749/13, Ground Floor, Ranjeet  
Nagar, New Delhi

Respondent

**(33) Appeal No.441 of 2025**

Appeal No. 376 of 2025 & connected appeals

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Sarvendra Vikram Singh resident of 2749/13, Ground Floor, Ranjeet Nagar, New Delhi

Respondent

**(34) Appeal No.442 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Rajiv Gupta resident of 1634, Ground Floor, Outram Line, GTB Nagar, Mukherjee Nagar, North West Delhi

Respondent

**(35) Appeal No.395 of 2025**

M/s. Sunrays Heights Pvt. Limited through its Authorized Representative. Registered Office at: 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001.

Appellant

Versus

Prakash Kumar resident of B-3, M D I Campus Mehrauli Road Gurgaon, Haryana 122007

**CORAM:****Justice Rajan Gupta**  
**Dinesh Singh Chauhan****Chairman**  
**Member (Technical)**

Present: Mr. Ankur Mittal, Senior Advocate assisted by  
Mr. Kanish Bangia, Advocate,  
Ms. Kushaldeep Kaur, Advocate,  
Mr. Siddhant Arora, Advocate,  
for the appellant.

**ORDER:****RAJAN GUPTA, CHAIRMAN**

This order shall dispose of above-mentioned appeals, as common question of law and facts are involved therein. However, the facts have been extracted from Appeal No. 376 of 2025.

2. The appellant-promoter filed a complaint under Sections 31 and 19 of the Real Estate (Regulation and Development) Act, 2016 ("RERA") before the Adjudicating Officer, Haryana RERA, Gurugram seeking compensation from the respondent-allottee for delayed payments towards Flat No. G64 (Type D-1 BHK, Tower G) in the project "63 Golf Drive", Sector 63A, Gurugram. The Builder-Buyer Agreement ("BBA") dated 04.02.2016 stipulated payment terms and provided interest at the rate of 15% per annum on delayed payments under Clause 3.7.

3. The Adjudicating Officer, vide impugned order dated 27.03.2025 (CR-6380-2024), dismissed the complaint as not maintainable, observing that the BBA itself provided adequate contractual remedies to the promoter. The relevant findings read as under:

*"8. Admittedly, BBA was executed between the parties by their sweat will. For the sake of arguments, if it is presumed that the respondent [allottee] did not make timely payment, the*

*remedy with complainant [promoter] was already provided in the BBA. Same can recover the amount in case timely payment is not made along with interest at rate of 15% per annum from due date of payment till amount is recovered. The promoter has been given authority even to cancel the allotment in some circumstances well mentioned in said provision.*

*9. In case when complainant/promoter had already remedy in the case when the allottee does not make timely payment, present complaint is not maintainable. Even if the complainant has suffered any loss, for not getting timely payment from the buyer i.e. respondent. Said provision is to compensate the promoter. No further compensation is required to be paid to the complainant.*

*10. On the basis of aforesaid discussion, in my opinion, present complaint is not maintainable. This issue is, therefore, decided in favour of respondent and against the complainant.*

*11. When complaint is not maintainable, same is dismissed.”*

4. Aggrieved by the dismissal, the appellant has preferred the present appeal, contending that the Adjudicating Officer misconstrued the law. It is urged that under Section 71 of the Act, a promoter is entitled to claim compensation for losses caused by an allottee's default in timely payment, and therefore the impugned order warrants interference.

5. Now the issues which arise for determination before this Bench are, whether promoters can claim compensation against allottee's delay in payment by filing a complaint before Adjudicating Officer and whether the impugned order suffers from any legal infirmity?

6. Upon hearing learned counsel for the appellant and examining the material on record, this Tribunal finds that Section 71 empowers the Adjudicating Officer to determine compensation only under Sections 12, 14, 18, and 19 of RERA.

These provisions deal exclusively with defaults by promoters toward allottees and not vice versa. The statute does not create any reciprocal right for promoters to claim compensation from allottees before the Adjudicating Officer.

7. This view finds support from the judgment of the **Kerala High Court in “Gopakumar B. Nair v. K.V. Sugunan (decided on 30.01.2025)”**, wherein para 12 holds:

*"Section 71 deals with the power of the Adjudicating Officer to adjudicate the compensation. It provides that the Adjudicating Officer is appointed to adjudicate the compensation under S. 12, 14, 18, and S.19. These provisions do not in any way provide any liability to the Allottee to pay compensation or any right to the promoter to claim compensation. So the right of the Promoter to claim compensation from the Allottee is outside the scope of the RERA".*

8. In light of above, a promoter cannot approach the Adjudicating Officer for relief concerning any alleged default by an allottee. However, where an allottee delays payment as per the agreement, the promoter may seek enforcement of the payment schedule or recovery of interest by filing a complaint before the Authority, and not before the Adjudicating Officer. It will then be for the Authority to determine the promoter's entitlement under contractual or statutory provisions.

9. Consequently, the Adjudicating Officer rightly held the promoter's complaint to be not maintainable. The order calls for no interference.

10. Thus, the present appeals lack merit and are hereby dismissed.

Appeal No. 376 of 2025 & connected appeals

11. Copy of this order be sent to the parties/their counsel and the Authority.

12. Files be consigned to records.

Justice Rajan Gupta  
Chairman,  
Haryana Real Estate Appellate Tribunal

Dinesh Singh Chauhan  
Member (Technical)

March 11,2026/mk