



Complaint No.1055 of 2024

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO.1055 OF 2024

Bimla

....COMPLAINANT

VERSUS

TDI Infrastructure Ltd.

....RESPONDENT

Coram:

Sh. Chander Shekhar

Member

Date of Hearing:

08.05.2026

Hearing:

6th

Present: -

Ms. Rashi Sehrawat, Legal Aid Counsel for the Complainant.

Mr. Shubhnit Hans, Advocate, for the Respondent.

ORDER:

Today the case was fixed for filing rejoinder, if any and arguments.

2. Learned counsel for the complainant has stated that the present complaint has been filed by the complainant seeking action against the respondent under Sections 31, 37 and 63 of the RE(RD) Act on account of alleged non-compliance of the refund order passed in Complaint No. 299 of 2018 dated 19.03.2019. Learned counsel for the complainant argued that despite

CSH

passing of the refund order, the respondent has failed to comply with the same and, therefore, penal action is liable to be initiated against the respondent.

3. On the other hand, learned counsel for the respondent submitted that the present complaint is not maintainable as no specific relief has been claimed in the relief clause of the complaint. It has further been argued that neither any prayer for refund nor possession has been sought in the present proceedings and the execution proceedings regarding enforcement of the order dated 19.03.2019 are already pending before this Authority for 07.08.2026 in Execution no.2375 of 2019. Therefore, the present complaint amounts to multiplicity of proceedings and is liable to be dismissed.

4. The Authority has considered the submissions advanced by both the parties and examined the record carefully. It is observed that the complainant has primarily sought action for alleged non-compliance of the earlier order passed by this Authority. However, no specific relief has been prayed for in the complaint. It is also not disputed that execution proceedings for enforcement of the order dated 19.03.2019 are already pending. Once execution proceedings are pending for implementation of the said order, the complainant cannot simultaneously invoke separate proceedings without seeking any independent or specific relief under the provisions of the Act.

5. In view of the above facts and circumstances, the present complaint is found to be not maintainable and is accordingly dismissed. However, the

complainant shall be at liberty to pursue the remedy available in the pending execution proceedings in accordance with law.

6. **Dismissed being non-maintainable.** File be consigned to the record room after uploading order on the website.


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CHANDER SHEKHAR
(MEMBER)

08.05.2026
Narinder Kaur
(Law Associate)

