

**HARYANA REAL ESTATE REGULATORY AUTHORITY
PANCHKULA, HARYANA**

Comp Nos. :

RERA-PKL178/2018

RERA-PKL181/2018

RERA-PKL221/2018

RERA-PKL222/2018

RERA-PKL264/2018

Date : 09.10.2018

Ankur Mehan & Anr.

...Complainant

Versus

M/s BPTP Ltd.

...Respondents

And

Hemant Kumar Pandit

...Complainant

Versus

M/s BPTP Ltd.

...Respondents

And

Atul Kumar Rohtagi

...Complainant

Versus

M/s BPTP Ltd.

...Respondents

And



Rakesh Kumar Kapoor

Versus

...Complainant

M/s BPTP Ltd.

...Respondents

And

Abhishek Sharma & Anr

Versus

...Complainant

M/s BPTP Ltd.

...Respondents

CORAM :

Shri Rajan Gupta

Chairman

Shri Anil Kumar Panwar

Member

Shri Dilbag Singh Sihag

Member

APPEARANCE :

Shri Sudarshan Thakur

Counsel for Complainants

Shri Hemant Saini &

Counsel for Respondents

Ms. Ratna Priya

Order:

1. On the last date of hearing, the Authority had directed respondent to give an undertaking regarding the date by which possession will be offered to the complainants after completion and

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providing all the basic essential services in Phase -II. Since in all the above captioned cases, the grievances involved are similar and pertaining to the same Phase-II of the project of respondent, they have been taken up together.

2. In the Complaint Case No. 178 of 2018, learned counsel for the respondent filed an application for dismissal of the complaint for the reason that the complainant in the said complaint has annexed a wrong annexure in the form of a letter of offer of possession made to a 3rd person. The Authority, after consideration, disregarded the application and decided to take up the complaint No.178 of 2018 on its own merit along with the other bunch matter.

3. In response to the directions of the Authority given to the respondent for giving an undertaking regarding the date by which offer of possession will be given to the complainants, the learned counsel for respondent filed an affidavit in three complaint cases Nos. 221/2018, 222/2018 and 264/2018 stating that the delivery of possession of the apartments in question will be offered by March, 2019. It has been further stated in the affidavit that the construction at the site is going on in full swing and the respondents company is



making efforts to hand over possession of the units in Phase-II of the project by the end of March, 2019.

4. Verbally learned counsel for the respondent also made a similar statement in respect of the completed case No. 178 of 2018, and 182 of 2018.

5. Learned counsel for the complainant strongly objected to the statement of the respondent stating that they are in dire need of an apartment and keeping in view the current pace of construction work, there is no likelihood of offering the possession by March, 2019. The Authority made it clear to the respondent that they will have to adhere to the time line given by them in the affidavit that the construction will be completed by March, 2019. If this promise is not fulfilled, the Authority will impose an exemplary penalty on the respondents. The respondents should make all out efforts to complete the project and offer possession by March, 2019.


6. All other facts of this matter are similar to the facts of the bunch matter decided by this Authority with lead case Complaint No.113of 2018-Madhu Sareen Vs. BPTP Ltd. All the complaints in this bunch matter are hereby disposed of with further directions that when offer of possession is given by the respondents to the complainants, it shall be accompanied by a statement of accounts which in turn shall be

prepared keeping in view the principle laid down by this Authority in Case No.113of 2018-Madhu Sareen Vs. BPTP Ltd. The views expressed by respective Members in that judgment, however, shall stand as they are.

Disposed of.


Dilbag Singh Sihag
Member


Anil Kumar Panwar
Member


Rajan Gupta
Chairman