

PROCEEDINGS OF THE DAY		39
Day and Date	Friday and 17.07.2026	
Complaint No.	CR/5692/2025 Case titled as Aashiyara Society through Goutam Kumar Malti VS Renuka Traders Private Limited & Axis Bank Limited	
Complainant	Aashiyara Society through Goutam Kumar Malti	
Represented through	Shri Dhanesh M Nair Advocate	
Respondent	Renuka Traders Private Limited & Axis Bank Limited	
Respondent Represented through	Ms. Priya Sharma Advocate for R1 Shri G.K. Mihra and Ms. Vatsala Advocates for R2	
Last date of hearing	08.05.2026	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings-cum-order The present complaint has been filed on 27.11.2025 and reply on behalf of respondent no. 1 was filed on 06.02.2026 and reply on behalf of respondent no. 2 was filed on 28.01.2026. The counsel for the complainant states that the complainant is seeking following reliefs: - 1. Direct that in the event of revocation or suspension of registration of the project under Section 7 of RERA Act the rights, title and interest of existing allottees in their respective allotted units shall remain protected and no unit shall be cancelled. 2. Direct the respondent no.1 to immediately resume the continue remaining work of the project.		

3. Direct the competent authority under Section 8 of the Act to ensure completion of balance development works of the project.
4. Direct the respondent no. 2 (Axis Bank) being a designated escrow account holder, to produce a complete statement of accounts and utilization certificate of all amounts credited and withdrawn from the escrow account since inception of the project, in terms of Section 4(2)(l)(d) of the Act.
5. Direct an independent forensic audit of escrow account and fund utilization to determine any diversion or misuse of funds by the promoter.
6. Direct the promoter to handover all project approvals, sanctioned plans, structural drawings, NOC's and completion related documents to the Aashiyara Society or to the Authority appointed agency.
7. Direct the promoter and the bank to not transfer, alienate or encumber any unsold inventory, project land or attached assets till completion of the project or settlement of allottees rights.
8. Direct the respondent to pay DPC under section 18(1) of the Act.
9. Direct the respondent to handover possession of the common areas, facilities to the Aashiyara society upon completion and issuance of occupancy certificate.

The Authority observes that the complainant (Aashiyara Society) earlier filed a complaint bearing no. 7218 of 2022, which was disposed of on 27.05.2025. In the said complaint, the Authority directed the (Aashiyara Society) to file a separate complaint regarding delay possession charges and further for other reliefs it was directed the complainant (Aashiyara Society) to approach the adjudicating officer for compensation.

Thereafter, the Secretary for and on behalf of HARERA Authority, Gurugram, vide letter dated 15.10.2025 informed the (Aashiyara Society) to approach the DTCP, Haryana regarding the completion of project/ delay in construction and further for delay possession charges, the allottee(s) may file individual complaint before the Authority.

Now the complainant (Aashiyara Society) again filed a complaint for the above-mentioned reliefs.

In view of the above, the present complaint is not maintainable before this Authority adopting the principle of res-judicata. Hence, the same is hereby dismissed.

Matter stands disposed of. File be consigned to the registry.


Arun Kumar
Chairman
17.07.2026