

Complaint No. RERA-PKL-COMP. 37/2018

Date of hearing. On 24.07.2018, 4th Hearing.

Parties names. Manju Arya. ...Complainant

Versus

M/s TDI Infrastructure Limited. ...Respondent.

Present:- i) Shri Vikas Jain & Nidhi Jain, Advocates on behalf of complainant.
ii) Shri Shobit Phutela, Advocate on behalf of respondent.

ORDER:-

The parties could not arrive at an amicable settlement inspite of the fact that the Authority has earlier granted them adjournments for this purpose on their requests. So, no further adjournment is justified and the Authority has decided to dispose of the complaint on merits.


After hearing the parties and going through the record, Authority finds that the respondent has already applied to the Director, Town and Country Planning Department for grant of completion certificate and the department has even granted him part completion certificate for an area measuring 403 acres of the residential colony. This proves that the respondent had already invested the amount which was collected from the allottees in the project and therefore it is neither fair nor possible to allow the complainant to get refund of the invested amount by them. It is not disputed that the complainant has already taken the




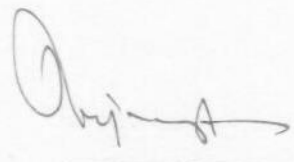
possession and a sale deed has been executed in his favour. Therefore, the only relief which now survives for adjudication in the complaint is regarding various compensations prayed by the complainant.

The matter regarding the grant of compensation is liable to be adjudicated by the Adjudicating Officer in terms of the provisions of Section 71 of the Real Estate (Regulation and Development) Act, 2016. So, the complaint is disposed of with a direction that the complainant shall file a complaint before the Adjudicating Officer for all the compensations that he intends to claim from the respondent.

Complaint is disposed of accordingly and file be consigned to the record room.


Dilbag Singh Sihag
Member


Anil Kumar Panwar
Member


Rajan Gupta
Chairman.