



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2146 OF 2019

HRERA

....COMPLAINANT(S)

VERSUS

Director Town & Country Planning Department

....RESPONDENT(S)

CORAM:

Rajan Gupta
Anil Kumar Panwar

Chairman
Member

Date of Hearing: 15.09.2020

Hearing: 5th

Present: - None for respondent

ORDER (RAJAN GUPTA - CHAIRMAN)

1. The Authority had disposed of a bunch of six complaints with lead complaint case No.383 of 2018 titled Gurbaksh and Anr. versus ABW Infrastructure Pvt. Ltd. and Ors. vide its orders dated 30.10.2018. Detailed orders have been passed granting certain preferential rights to the allottees of

a project which is facing proceedings under the Insolvency & Bankruptcy Code and other similar laws. In pursuance of the rights of the allottees granted under Section 8 of the Act, the Authority had also decided to ask the Town & Country Planning Department to take over the project. For monitoring the progress of the department, it was also decided to lodge a suo motu complaint against the Town & Country Planning Department.

2. In furtherance of the aforesaid directions a complaint no.2146 of 2019 was registered by impleading Director, Town & Country Planning Department as the respondent. Accordingly, a notice dated 02.09.2019 was issued to the department for taking further actions in accordance with the orders passed by the Authority in complaint No.383 of 2018. The gist of the direction was that the Town & Country Planning Department in discharge of their responsibilities should take-over the project.

3. Today, is the 5th hearing of this matter but no reply has been filed by the department. Non filing of a reply is considered as unwillingness on the part of the department to take over the project.

4. Now, since the department is unwilling to take over the project and allottees are unable to form an association for taking over the project for completion at their own level, and proceedings under Insolvency & Bankruptcy Code are going on against the company before NCLT, now further proceedings in the matter before this Authority cannot go on.

5. In view of the above, this matter is disposed of. File be consigned to the record room after uploading of the order on the website of the Authority.



RAJAN GUPTA
[CHAIRMAN]



ANIL KUMAR PANWAR
[MEMBER]

