

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 75 OF 2020

Neelam

....COMPLAINANT(S)

VERSUS

M/s HL Residency Pvt. Ltd.

....RESPONDENT(S)

2. COMPLAINT NO. 155 OF 2020

Poonam Devi

....COMPLAINANT(S)

VERSUS

M/s HL Residency Pvt. Ltd.

....RESPONDENT(S)

3. COMPLAINT NO. 156 OF 2020

Suman Lata

....COMPLAINANT(S)

VERSUS

M/s HL Residency Pvt. Ltd.

....RESPONDENT(S)

4. COMPLAINT NO. 157 OF 2020

Sanjay Kumar

....COMPLAINANT(S).

VERSUS

M/s HL Residency Pvt. Ltd.

....RESPONDENT(S)

5. COMPLAINT NO. 160 OF 2020

Girdhari lal Sharda

....COMPLAINANT(S)

VERSUS

M/s HL Residency Pvt. Ltd.

....RESPONDENT(S)

6. COMPLAINT NO. 161 OF 2020

Seema

....COMPLAINANT(S)

VERSUS

M/s HL Residency Pvt. Ltd.

....RESPONDENT(S)

7. COMPLAINT NO. 367 OF 2020

Suman

....COMPLAINANT(S)

VERSUS

M/s H.L. Residency Pvt. Ltd.

....RESPONDENT(S)



**CORAM: Rajan Gupta
Anil Kumar Panwar
Dilbag Singh Sihag**

**Chairman
Member
Member**

Date of Hearing: 03.11.2020

Hearing: 4th (in complaint nos. 160,161,155,156,157,75 of 2020)


3rd (in complaint no.367 of 2020)

Present through video call: - None for complainants in all cases
Sh. Sandeep Dahiya, counsel for respondent

ORDER (RAJAN GUPTA- CHAIRMAN)

1. The captioned complaints were earlier listed for hearing on 27.02.2020 and 28.08.2020, when the complainants were not present. Today, the cases are listed for the third time and again none has appeared for complainants. On perusal of pleading submitted by complainants, it has come to the knowledge of the Authority that in all the captioned complaints, complainants are praying for following reliefs:

- i. Timely construction of his apartment as per terms mentioned in his Allotment letter cum Buyer Agreement, lay out plans



ii. To stop illegal construction of 3rd floor in his building.

iii. To remove transformer installed near his apartment and restore the open/green area.

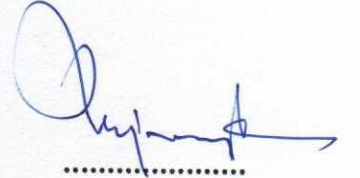
2. Reply had already been taken on record, wherein it has been submitted that complainants were fully aware of the fact that respondent was in process of purchasing additional FAR and as per clause 10.10, 24.40.1, and 40.3 of the builder buyer agreement, the construction of third floors of the building was also duly informed to the complainants. Therefore, the complainant has no right to object to construction of 3rd floor/4th floor or terrace/roof. Further, it is stated that the installation of the electric transformer is the right of the electricity board and the same has been installed for providing services to the complainants/ allottees. Today, respondent counsel verbally submitted in the court that project is complete in all respects and they have also applied for the grant of Occupation Certificate vide application dated 08.10.2020 and same is granted to the respondent on 19.10.2020.

3. In view of statement given by respondent, the Authority observes that project is complete and respondent had already applied for the grant of Occupation Certificate. Further the respondent was under an obligation to hand over the possession of apartment latest by 07.12.2020. Said date for delivery of possession has not yet arrived, therefore, all captioned complaints are premature at this stage and liable to be dismissed. Therefore, all the



captioned complaints are **disposed of** as dismissed with a liberty to file fresh complaint as on when a cause of action arises.

Files be consigned to the record room and orders be uploaded on the website.



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RAJAN GUPTA
[CHAIRMAN]



.....
ANIL KUMAR PANWAR
[MEMBER]



.....
DILBAG SINGH SIHAG
[MEMBER]

