



Complaint No. 269,270,271  
293,685,689/2020

## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

### 1. COMPLAINT NO. 269 OF 2020

Satyam Chokkapu & Rachana Chokkapu ....COMPLAINANT(S)

VERSUS

Ferrous Infrastructure Pvt Ltd. ....RESPONDENT(S)

### 2. COMPLAINT NO. 270 OF 2020

Bethanapalli Madhav Rao ....COMPLAINANT(S)

VERSUS

Ferrous Infrastructure Pvt Ltd. ....RESPONDENT(S)

### 3. COMPLAINT NO. 271 OF 2020

C Rama Devi Satyam & Vijayanand Chokkapu ...COMPLAINANT(S)

VERSUS

Ferrous Infrastructure Pvt Ltd. ....RESPONDENT(S)

### 4. COMPLAINT NO. 293 OF 2020

Ashok Bahadur Mathur ....COMPLAINANT(S)

VERSUS

Ferrous Infrastructure Pvt Ltd. ....RESPONDENT(S)

**5. COMPLAINT NO. 685 OF 2020**

Balendra Singh Parmar

....COMPLAINANT(S)

VERSUS

Ferrous Infrastructure Pvt Ltd.

....RESPONDENT(S)

**6. COMPLAINT NO. 689 OF 2020**

Ankur Mathur

....COMPLAINANT(S)

VERSUS

Ferrous Infrastructure Pvt Ltd.

....RESPONDENT(S)

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

**Chairman  
Member  
Member**

**Date of Hearing: 04.11.2020**

**Hearing: 2<sup>nd</sup> (in all complaints)**

**Present: - Jagdeep Singh Rana, Counsel for the complainant.  
(in all complaints)**

**Mr. Sourabh Goel and Mr. Sanjeev, Counsel for the respondent.  
(in all complaints)**





**ORDER (ANIL KUMAR PANWAR- MEMBER)**

1. All the above titled complaints are directed against the same project of respondent company and the complainants therein have prayed for identical reliefs based on similar facts. So, all these complaints are being disposed of by this common order.
2. The complainants booked flats in respondent's project named 'Ferrous City' in Sector-89, Faridabad. They have already paid almost the total sale consideration and as per builder buyer agreement entered between the parties, the respondent was obliged to offer them possession latest by 31<sup>st</sup> December, 2013. However, the respondent has not offered them the possession till date and therefore, the complainants have prayed for possession or in the alternative a relief for refund of already paid amount along with interest.
3. Learned counsel for the respondent has today submitted that he had already filed reply in complaint no. and said reply may be treated his reply in other complaint cases as well.
4. After hearing the parties, the Authority finds that it has already granted the relief of refund to other allottees of this very project named 'Ferrous City' Sector-89, Faridabad vide judgement dated 19.11.2019 passed in lead case bearing no. 762 of 2018 titled Rakesh Kumar Versus Ferrous Infrastructure Pvt Ltd., mainly for the following reasons: -



- (a) A Local Commission Viz M/s Planner Plus appointed by the Authority on inspecting the site of the project, had reported that the respondent's company had violated the approved plans of the project.
- (b) The promoter in the course of constructing the building had left several structural defects because of which it would be extremely difficult to complete the project without substantial modification of the license granted by Town and Country Planning Department.
- (c) That there are legal disputes between the partners of the project and without resolution of these disputes and bifurcation of the license, the completion of project would not be feasible.
- (d) Obtaining of occupation certificate would not be possible due to serious violations committed by the promoter in respect of building plan and zoning layout of the project.

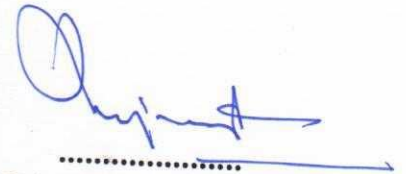
None of the reasons, narrated above has changed and the project is still not likely to see the light of the day. So, the Authority is of the considered opinion that the complainants on parity basis are entitled to refund of already paid amount along with interest at the rate prescribed in Rule 15 of the Haryana Real Estate (Regulation and Development) Rules, 2017 (HRERA, Rules). Accordingly, the complaints are allowed in terms of the decision





already rendered by this Authority in lead case no. 762 of 2018- titled as  
'Rakesh Kumar Versus Ferrous Infrastructure Pvt Ltd.

6. Cases are disposed of accordingly and files be consigned to the record  
room after uploading the order on the website of the Authority.



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**RAJAN GUPTA**  
[CHAIRMAN]



.....  
**ANIL KUMAR PANWAR**  
[MEMBER]



.....  
**DILBAG SINGH SIHAG**  
[MEMBER]