



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2322 OF 2019

Vinod Khatri

....COMPLAINANT(S)

VERSUS

HL Residency Pvt. Ltd.

....RESPONDENT

CORAM: Rajan Gupta
Anil Kumar Panwar
Dilbag Singh Sihag

Chairman
Member
Member

Date of Hearing: 06.01.2021

Hearing: 6th

Present: Mr. Vinod Khatri, complainant in person

Mr. Abhishek Jindal, counsel for respondent through video conference

ORDER (ANIL KUMAR PANWAR - MEMBER)

1. On perusal of the report of the local commissioner appointed vide order dated 03.11.2020, it is found that the apartment of the complainant does not suffer from any major deficiency. The cracks and seepages in walls are of nature which in normal course often appear after 2-3 years of construction and can be rectified with reasonable efforts and expenditure.

2. Learned counsel for respondent submits that the physical possession of the apartment in incomplete condition was delivered to the original allottee in incomplete condition as he had requested for the same stating that he would himself get the remaining work complete. The very fact that the respondent for this reason had even reduced the BSP to 38,22,832/- lends support to his submission. Since the complainant herein is a subsequent buyer, he doesn't derive any actionable rights against the respondent under these circumstances.

3. In view of the reasons explained above, the respondent cannot be held liable for the alleged defects in the apartment of complainant. So, the complaint is **dismissed** with a direction to the complainant to pay the expenses of ₹21,300/- incurred on account of visit of the Local Commissioner. Order be uploaded and file be assigned to the record room.



RAJAN GUPTA
[CHAIRMAN]



ANIL KUMAR PANWAR
[MEMBER]



DILBAG SINGH SIHAG
[MEMBER]