

PROCEEDINGS OF THE DAY

Day and Date	Thursday and 10.01.2019
Complaint No.	152/2018 Case titled as Mr. Subhash Chand Jain V/S Haryana Urban Development Authority
Complainant	Mr. Subhash Chand Jain
Represented through	Shri Parnav Sarthi, Advocate for the complainant.
Respondent	Haryana Urban Development Authority
Respondent Represented through	None for the respondent.
Last date of hearing	12.9.2018
Proceeding Recorded by	Naresh Kumari & S.L.Chanana

Proceedings

Project is not registered with the authority.

Since the project is not registered, as such notice under section 59 of the Real Estate (Regulation & Development) Act, 2016 for violation of section 3(1) of the Act be issued to the respondent. Registration branch is directed to do the needful.

Complaint was filed on 10.4.2018. Notice w.r.t. reply to the complaint was issued to the respondent on 27.4.2018. Thereafter, summons were sent to the Estate Officer, HUDA on 21.6.2018, 20.7.2018 and 30.7.2018 to appear before the authority and to file reply. Notices were issued to the respondent on 13.9.2018 and 15.11.2018. Besides this, a penalty of Rs.5,000/- and Rs.10,000/- was also imposed on 13.9.2018 and on

15.11.2018 for non-filing of reply even after service of notice. However, despite due and proper service of notices, the respondent neither filed the reply nor come present before the Authority. From the above stated conduct of the respondent it appears that the respondent does not want to pursue the matter before the authority by way of making personal appearance by adducing and producing any material particulars in the matter. As such, the authority has no option but to declare the proceedings ex-parte and to decide the matter on merits by taking into account legal/factual propositions as raised by the complainant in his complaint.

Counsel for the complainant has stated that the complainant does not want refund of the amount but want possession of the plot.

Haryana Urban Development Authority is directed to sort out the matter within three months and apprise the authority about the outcome for perusal with liberty to the complainant to file a complaint afresh if need arises. Complaint stands disposed of accordingly. File be consigned to the registry.

Samir Kumar
(Member)
10.1.2019

Subhash Chander Kush
(Member)