

**HARYANA REAL ESTATE REGULATORY
AUTHORITY, PANCHKULA.**

Date: 08.01.19

Hearing: 1st

Complaint No: 956/2018

Poonam Devi

(Complainant)

Versus

Adel Landmarks Ltd.

(Respondent)

CORAM : 1. Shri Rajan Gupta,

Chairman.

2. Shri Dilbag Singh Sihag,

Member.

APPEARANCE : Shri. Sunil, on behalf of **Complainant**

None for the **Respondent**

ORDER:-

In this case the complainant was allotted the Unit No. PWL/U-04 measuring 253.76 Sq. Yds in the real estate project i.e. "Era Divine Court", Sector-8, Palwal after payment of booking amount Rs. 2,00,000/- vide Cheque no. 590351 dated 18.02.2012. Buyer agreement between complainant and promoter respondent was executed on 14.03.2012 and the said unit no-04 was allotted to complainant for basic sale price of Rs. 25,53,090/- against which Rs. 24,38,873/- stands paid by complainant.



2. The complainant's grievance is that the respondent has neither kept his promise to deliver the possession within stipulated time i.e. by September 2015 nor is able to complete the project. Due to the malafide and fraudulent acts of respondent the complainant seeks refund of Rs. 24,38,873/- along with interest at the rate of 18%.

3. As per office record the respondent has been duly served but he has failed to file a reply or appear before the Authority, accordingly it decides to proceed ex-parte against the respondent. Moreover, the National Company Law Tribunal, Special Bench, New Delhi has declared moratorium in terms of section 14 of Insolvency and Bankruptcy Code,2016 against the respondent. It appears that respondent is no more entitled to defend himself before this Authority. As per RERA Act,2016 and rules 2017 thereof, the Authority is bound to follow summary trial procedure. So, in these circumstances the proceedings of the complaint is taken ex-parte for adjudication.

4. The Authority observes that a bunch of matters with lead case complaint No. 937 of 2018 titled Sipra Raheja and others Versus Adel Landmark (India) Pvt. Ltd. has been disposed of vide its order dated 13.12.2018. The facts and circumstances of this case are similar to the said complaint case No. 937 of 2018. Similar relief deserves to be given in this case as well. The Authority accordingly disposes of this matter in the same terms as the said complaint No.937 of 2018.



File be consigned to record room after uploading of this order on the website of the Authority.



Dilbag Singh Sihag
Member



Rajan Gupta
Chairman