



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 42 OF 2020

Rajeev Chhabra

....COMPLAINANT(S)

VERSUS

M/S Parsvnath Developers Ltd.

....RESPONDENT(S)

2. COMPLAINT NO. 43 OF 2020

Rajeev Chhabra

....COMPLAINANT(S)

VERSUS

M/S Parsvnath Developers Ltd.

....RESPONDENT(S)

3. COMPLAINT NO. 553 OF 2020

Meghraj Gurnami

....COMPLAINANT(S)

VERSUS

M/S Parsvnath Developers Ltd.

....RESPONDENT(S)

4. COMPLAINT NO. 554 OF 2020

Pawan Kumar

...COMPLAINANT(S)

VERSUS

M/S Parsvnath Developers Ltd.

....RESPONDENT(S)

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5. COMPLAINT NO. 847 OF 2020

Sushil Kumar Singhal

....COMPLAINANT(S)

VERSUS

M/S Parsvnath Developers Ltd.

....RESPONDENT(S)

6. COMPLAINT NO. 1263 OF 2020

Pinaki Trade Link Pvt. Ltd.

....COMPLAINANT(S)

VERSUS

M/S Parsvnath Developers Ltd.

....RESPONDENT(S)

7. COMPLAINT NO. 766 OF 2019

Pravin Goel

....COMPLAINANT(S)

VERSUS

M/S Parsvnath Developers Ltd.

....RESPONDENT(S)

8. COMPLAINT NO. 2781 OF 2019

Inderjeet Garg

....COMPLAINANT(S)

VERSUS

M/S Parsvnath Developers Ltd.

....RESPONDENT(S)

9. COMPLAINT NO. 3042 OF 2019

Sunita Devi

....COMPLAINANT(S)

VERSUS

M/S Parsvnath Developers Ltd.

....RESPONDENT(S)

CORAM:

**Anil Kumar Panwar
Dilbag Singh Sihag**

**Member
Member**

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Date of Hearing: 04.03.2021

Hearing: 7th (in complaint nos. 42,43 of 2020)
5th (in complaint nos. 553,554 of 2020)
4th (in complaint no. 847 of 2020)
2nd (in complaint no. 1263 of 2020)
12th (in complaint no. 766 of 2019)
7th (in complaint no. 2781 of 2019)
8th (in complaint no. 3042 of 2019)

Present: - Ms. Pankhi Harmilapi, learned counsel for the complainants through video conference
(in complaint nos. 42 and 43 of 2020)

Mr. Sandeep Gurnami, representative of the complainant through video conference
(in complaint no. 553 of 2020)

Mr. Pawan Kumar, complainant through video conference
(in complaint no. 554 of 2020)

Mr. Shubham Jain, learned counsel for the complainant through video conference
(in complaint no. 847 of 2020)

Mr. Vinay Goyal, learned counsel for the complainant through video conference
(in complaint no. 1263 of 2020)

None for the complainant
(in complaint no. 766 of 2019)

Ms. Vandana Aggarwal, learned counsel for the complainant through video conference
(in complaint no. 2781 of 2019)

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Mr. Vishal Yadav, learned counsel for the complainant
through video conference
(in complaint no. 3042 of 2019)

Ms. Rupali S. Verma, learned counsel for the respondent
through video conference
(in all complaints)

ORDER (DILBAG SINGH SIHAG - MEMBER)

1. Captioned complaints are taken up together for hearing as the grievances involved therein are identical in nature and directed against the same project of the respondent.

2. Perusal of file reveals that vide order dated 10.11.2020 passed in complaint case nos. 553 & 554 of 2020, respondent was directed to furnish certain information which would be substantial material to be taken on record by way of an affidavit. Operative part of said order is reproduced as under:

Apart from the orders especially dictated by Hon'ble Chairman certain more information regarding the project is required to adjudicate the matter, in case there is no settlement arrived between the parties. Therefore, following information regarding the project may be furnished by the respondent/promoter by way of an affidavit:-

i) Category wise plots approved in the layout plan by the department of Town and Country planning and revised layout plan, if any. Copy of the same be produced before the Authority.

ii) Procedure and parameters adopted by the respondent in allotment of the plots to various allottees.

iii) Year wise details of the allotments made by them and to whom the allotments are made in a tabular form mentioning his application date and allotment date.

iv) Category wise complete details of plots in Block A and Block B of the project and unallotted plots in these blocks by the time the complainant filed this complaint in the Authority.

v) Plots affected by acquisition be shown distinctly on approved layout plan/demarcation plan and plots offered to any other allottee out of that area.

vi) Whether services and infrastructure are provided in the project as per approved demarcation plan and service plan estimates.

vii) Details of the plots allotted within last six months, if any, along with details of allottees and date of their applications received in the respondent's office."

3. As far as compliance to above referred directions is concerned, learned counsel for the respondent has stated that affidavit already submitted by the respondent in complaint case no. 723 of 2019 titled Nishant Bansal versus Parsvnath Developers Ltd. may be considered in all complaint cases as well. Nothing more needs to be submitted apart from said affidavit. At this point of time, Authority observes that respondent promoter is deliberately not disclosing such information which may open up his malpractices and nonprofessional approach in allotment of plots without adopting fair principles and procedure.

4. Learned counsel for the complainants have stated in the Court today that the decision already taken by the Authority in bunch of cases with lead case **complaint case no. 723 of 2019 titled Nishant Bansal versus Parsvnath Developers Ltd.** squarely covers the controversy involved in the

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above-mentioned all complaints. Hence, these complaints be disposed of in the same manner.

5. Learned counsel for the respondent still insisted that these complaints should not be disposed of in terms of Nishant Bansal versus Parsvnath Developers Ltd. but she has not given any convincing and logical fact-based pleadings/documents which may be relied upon while adjudicating the entire matter.

6. In view of above and after going through the record, Authority is absolutely satisfied that issues and controversies involved in present complaints are of similar nature as bunch of cases with lead case Complaint no. 723 of 2019 titled as Nishant Bansal versus Parsvnath Developers Ltd. Therefore, captioned complaints are disposed of in terms of the orders passed by the Authority in **Complaint no. 723 of 2019**. Accordingly, all complaints are allowed and the respondent is directed to allot and deliver the possession of booked plots to the complainants in the project Parsvnath City, Sonipat on payment of balance sale consideration recoverable from them. Respondent promoter shall comply with these directions within 90 days from the date of uploading of this order. In case, respondent promoter due to non-availability of plots is not able to allot and offer its possession to the complainant concerned, he will be liable to make available to him a plot of the size, as booked, by purchasing it from open market at his own cost. Respondent

promoter however will be entitled to recover from the complainants the balance amount payable by them as per the rate agreed by the parties at the time of booking of plots.

7. **Disposed of.** Files be consigned to record room and order be uploaded on the website of the Authority.



ANIL KUMAR PANWAR
[MEMBER]



DILBAG SINGH SIHAG
[MEMBER]

