



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 253 OF 2021

Pawan Kumar Goyal (Deceased) And AnothersCOMPLAINANT(S)

VERSUS

M/s Samar Estate Pvt. Ltd.

....RESPONDENT

CORAM:

**Anil Kumar Panwar
Dilbag Singh Sihag**

**Member
Member**

Date of Hearing: 15.04.2021

Hearing: 1st

Present: -

Mr. Devinder Kumar, Id. Counsel for the complainant

Mr. Tarun Gupta, Id. Counsel for the respondent
(through VC)

ORDER (DILBAG SINGH SIHAG-MEMBER)

1. Learned counsel for the complainant apprised Authority while initiating arguments that complainant has sought execution of an order dated 06.12.2018 whereby respondent was directed to hand over possession of the booked flat to the complainant failing which respondent should be liable to refund an amount of ₹57,07,338/- along with interest @18% per annum. The total recoverable amount comes to ₹1,39,56,609/- (₹57,07,338/- + ₹82,49,271/-)

2. He further pleaded that in Similar matters, wherein refund orders were passed in favour of various allottees of the same project, Authority in bunch of cases disposed of with a lead case bearing no.839 of 2019 with an order of recovery of outstanding amount as arrears of land revenue and accordingly has already issued recovery certificate to District Collector, Panchkula under whose jurisdiction, properties of the respondent situated. Learned counsel for the complainant, has therefore requested the Authority to dispose of present complaint in same terms by issuing recovery certificate.


3. Learned counsel for the respondent did not oppose the same. Therefore, warrant of recovery be, therefore, issued against the respondent company to District Collector, Panchkula with a direction to recover the decreed amount of ₹1,39,56,609/- till actual date of payment of entire amount



from the respondents as arrears of land revenue and remit the same to the Authority after such recovery for further payment to the decree holder/complainant. The District Collector shall send a compliance report to this Authority as early as possible. Necessary action be accordingly taken.

4. **Disposed of** accordingly. File be consigned to the record room and order be uploaded on the website.

Discussed telephonically with Sh. A.K. Panwar, Hon'ble Member-I. Due to Covid-19, he could not sign, however, he consented to the above order.


Executive Director,
HREERA Panchkula
30.04.2021

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ANIL KUMAR PANWAR
[MEMBER]


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DILBAG SINGH SIHAG
[MEMBER]