

PROCEEDINGS OF THE DAY

Day and Date	Thursday and 03.01.2019
Complaint No.	1447/2018 Case titled as Seema Kapoor Vs. Imperia Wishfield Pvt. Ltd.
Complainant	Seema Kapoor
Represented through	Shri Parikshit Kumar, Advocate for the complainant.
Respondent	Imperia Wishfield Pvt. Ltd.
Respondent Represented through	Shri Rohit Sharma, authorized representative on behalf of respondent-company with Shri Ishaan Dang Advocate for the respondent.
Last date of hearing	
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 ibid be issued to the respondent. Registration branch is directed to do the needful.

Shri Ishaan Dang Advocate has appeared on behalf of the respondent and filed memo of appearance today. He is directed to file power of attorney on the next date of hearing.

During the course of proceedings, it has been observed that while scrutinizing the complaint and annexures, the complaint was rejected on the ground that the same was addressed to the Adjudicating Officer instead of HARERA authority and three copies of the complaint were returned to the complainant by retaining a copy for office record. In spite of this, notices for appearances to the parties were also issued and the matter has been listed today for final hearing which is contrary to the guidelines issued by the authority from time to time and this negligence has created embarrassment for the authority. Accordingly, it is directed that show cause notices be issued to the delinquent officials on account of negligence on their part.

It is further directed that in case of such type of occurrences in future strict action shall be taken against the delinquent officials.

In view of the above position, this complaint does not lie before the authority.

Since the complainant has already filed a fresh complaint which is addressed to the authority, it is directed that the same may be listed for final hearing on completion of pleadings.

Samir Kumar
(Member)

Dr. K.K. Khandelwal
(Chairman)
03.01.2019