

**HARYANA REAL ESTATE REGULATORY AUTHORITY  
PANCHKULA**

**Complaint No. :1332/2018**

**Date of hearing : 14.02.2019**

**Hearing : 2<sup>nd</sup>**

Mukesh Kohli

**....Complainant**

Versus

Parsvnath Developers Pvt. Ltd.

**....Respondent**

**CORAM :**

Sh. Rajan Gupta, Chairman  
Sh. Anil Kumar Panwar ,Member  
Sh. Dilbag Singh Sihag , Member

**APPEARANCE :**

Sh. Mukesh Kohli, Complainant in person  
Smt. Rupali Shekhar Verma, Counsel for Respondent

**ORDER:**

1. Complainant, in this case, has booked a 4 BHK Flat on 11.05.2008 in Respondent's project namely "Parsvnath Preston". Out of total consideration of the flat, amounting to Rs. 57,08,000/- ,he has already paid Rs. 8,56,200/-. On visiting the site in 2015, he found that no construction has started and no further demand has been raised. At that stage, he wrote a letter in 2015 for refund of the amount paid by him. In response to that,



respondent offered him an alternative flat which was not acceptable to the complainant. Further in 2018, complainant has sent a legal notice to the respondent claiming the refund but all in vain. These circumstances compelled him to file the present complaint before this Authority seeking refund of the entire amount paid by him along with interest.

2. Respondent's counsel admitted the facts alleged by the complainant. However, he showed his willingness to offer an alternative flat in tower T4, T5 and T6 but the complainant rejected the offer and does not want an alternative flat.
3. In view of the submissions made by the parties, the Authority is of considered opinion that since the respondent has admitted the facts alleged and conceded the fact that no construction has started in the tower in which complainant had been allotted a unit, hence it is a fit case for refund. So, case is disposed of with a direction that respondent shall refund the entire paid amount along with interest as per Rule 15, i.e. @ State Bank of India highest marginal cost of lending rate plus 2% within 90 days i.e. 50% in 45 days and remaining 50% in next 45 days. With regard

f.



to his claim of compensation, it is directed that he may file  
complaint before Adjudicating officer for the same .

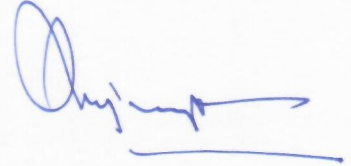
Case is disposed of in the abovesaid terms and file be  
consigned to the record room.



Dilbag Singh Sihag  
Member



Anil Kumar Panwar  
Member



Rajan Gupta  
Chairman