



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

### COMPLAINT NO. 1448 OF 2019

Mrs. Dimple Jain & Mr. Sangeet Jain

....COMPLAINANT(S)

VERSUS

M/S Parsvnath Developers Ltd.

....RESPONDENT(S)

**CORAM:**

**Rajan Gupta**  
**Anil Kumar Panwar**  
**Dilbag Singh Sihag**

**Chairman**  
**Member**  
**Member**

**Date of Hearing:** 10.08.2021

**Hearing:** 14<sup>th</sup>

**Present: -**

Mr. Sangeet Jain, complainant through video conference

Ms. Rupali S. Verma, learned counsel for the respondent through video conference

### **ORDER (RAJAN GUPTA - CHAIRMAN)**

1. Present petition has been filed for execution of order dated 27.11.2018 passed in complaint no. 478 of 2018 titled Dimple Jain & Sangeet Jain versus Parsvnath Developers Ltd. whereby respondent was directed to refund the complainants an amount of ₹6,43,995/- along with

interest at the rate stipulated in Rule 15 of HRERA Rules. Said interest is calculated till the date of passing of order i.e. 27.11.2018 which works out to be ₹7,01,472/-. Thus, the total decretal amount of ₹13,45,467/- (inclusive of principal and interest accrued on it) is to be paid to the complainants by the respondent promoter.

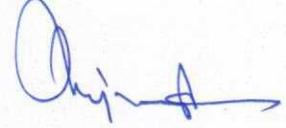
2. Learned counsel for the respondent states that a payment of ₹14,11,893/- has already been made to the complainants till date. She further states the entire liability of respondent towards complainants including additional interest accrued during the pendency of the present execution stands discharged and execution petition thus deserves to be dismissed as satisfied.

3. Complainant on the other hand argues that respondent had been deducting TDS in interest payable to him which is not permissible as per law and a sum of ₹70,368/- still remains payable. To this learned counsel for the respondent argues that a sum of ₹85,322/- has been deducted as amount of TDS and has been paid to the concerned authorities.

4. In view of above, Authority has inquired from its authorized Chartered Accountant as to whether or not TDS can be deducted on interest awarded by Authority and it has been reported in affirmative. So, the Authority observes that the amount deducted by respondent as TDS had been paid to the concerned department and complainants may file for refund of said amount with concerned authorities. Admittedly, the decretal amount of

₹13,45,467/- stands paid to the complainants along with additional interest accrued during the pendency of the present complaint. So, the execution petition deserves to be disposed of as fully satisfied.

5. The complaint is accordingly **disposed of**. File be consigned to record room and order be uploaded on the website of the Authority.



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**RAJAN GUPTA**  
**[CHAIRMAN]**



.....  
**ANIL KUMAR PANWAR**  
**[MEMBER]**



.....  
**DILBAG SINGH SIHAG**  
**[MEMBER]**

