



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

### COMPLAINT NO. 89 of 2019

Piyush Heights Residents Tower J & K  
Welfare Association

....COMPLAINANT

VERSUS

Piyush Buildwell India Ltd.

....RESPONDENT

#### CORAM:

**Anil Kumar Panwar**  
**Dilbag Singh Sihag**

**Member**  
**Member**

**Date of Hearing:** 05.08.2021

**Hearing:** 17<sup>th</sup>

**Present:** Mr. M. C. Jain, President of Piyush Heights Residents Tower J & K Welfare Association for complainant

Mr. Rahul Rathore, Id counsel for Piyush Heights RWA through video conference

Mr. Gaurav Singla, Id Counsel for the respondent

*[Handwritten signature]*

**ORDER (DILBAG SINGH SIHAG - MEMBER)**

1. While perusing case file, it is revealed that Complainant-association was allowed to take over towers J and K of project named Piyush Heights under Section 8 of Real Estate (Regulation and Development) Act, 2016 for completion as per approved building plans.

2. President of Piyush Heights Residents Tower J and K Welfare Association, today, apprised that construction work in both Towers is near completion except certain rectification of deficiencies in some of the flats required to be done by the contractor before handing over the same to the respective allottees. He further apprised that the association has not getting water and power supply on account of non-cooperation on the part of Piyush heights RWA. As far as status of infrastructure and common services are concerned, it has been apprised that no regular power supply is being supplied by Piyush heights RWA, therefore, the complainant-association could not check working of power points, electric meters and display units. Sewerage lines are required to be cleaned. Lifts, firefighting and safety alarms are installed in both Towers. Certificates from Structural Engineer and registered Architect verifying the services as per approved plans have been obtained in respect of towers J and K. Now, the complainant-association is facing certain difficulties. Firstly, labour cess tax against both towers has not been paid by the respondent promoter. Authority is of the view that all unpaid statutory levies and cess mandated to be

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paid prior to obtaining of OC shall be payable by the respondent promoter only. Secondly, complainant-association is going to apply for completion certificate. So, necessary directions be issued to the concerned department.

3. Issue regarding scrap material lying around the project has also raised and permission has sought from the Authority to auction the same. It is stated that un-required material and scrap consisting of steel, tin shades sheets, tiles, bathroom pipes, fittings, wooden boxes, aluminium frames etc. could not be auctioned due to letter received from Piyush heights RWA which claimed a share in the said material. Authority observed that complainant-association could auction all the scrap material as per directions given by this Authority in its previous order except the material which will be required by the Piyush Heights RWA for the purpose of re-utilising.


4. Further, complainant-association verbally raised issue regarding installation capacity of DG sets. Since expert report regarding capacity of DG sets has not been placed on record, Authority directed the association to submit expert report which certifying the necessity and capacity of DG sets. Lastly, Piyush Heights RWA is directed to provide interrupted supplies of power and water to the complainant-association. Mr. Brijesh Verma, representative of Piyush Heights RWA appeared through VC and undertook to supply uninterrupted services of power and water to the complainant-association.



5. Adjourned to 26.08.2021.



ANIL KUMAR PANWAR  
[MEMBER]



DILBAG SINGH SIHAG  
[MEMBER]

