

**PROCEEDINGS OF THE DAY**

Day and Date	Friday and 08.02.2019
Complaint No.	973/2018 Case Titled As Vivek Radhakrishnan V/S M/S Universal Buildwell Pvt. Ltd.
Complainant	Vivek Radhakrishnan
Represented through	Shri Vijay Kumar Advocate for the complainant.
Respondent	M/S Universal Buildwell Pvt. Ltd.
Respondent Represented through	<b>None for the respondent</b>
Last date of hearing	First 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 be issued to the respondent. Registration branch is directed to do the needful.

Arguments heard.

Complaint was filed on 19.09.2018. Notices w.r.t. reply to the complaint were issued to the respondent on 03.10.2018, 17.10.2018 and 01.12.2018. Besides this, a penalty of Rs.5,000/- and Rs.10,000/- was also imposed on 17.10.2018 and on 01.12.2018 for non-filing of reply even after service of notices. However, despite due and proper service of notices, the

respondent neither filed the reply nor come present before the authority. From the above stated conduct of the respondent, it appears that respondent does not want to pursue the matter before the authority by way of making personal appearance by adducing and producing any material particulars in the matter. As such, the authority has no option but to proceed ex-parte against the respondent and to decide the matter on merits by taking into account legal/factual propositions, as raised, by the complainant in his complaint.

A final notice dated 31.01.2019 by way of email was sent to both the parties to appear before the authority on 08.02.2019.

While going through the record, it has been transpired that the possession of the unit is to be delivered to the complainant on 20.10.2020. Accordingly, the complaint is pre-mature and the same stands dismissed. Complainant is advised to move a complaint if the unit is not delivered to him by due date. File be consigned to the registry.

Samir Kumar  
(Member)  
8.2.2019

Subhash Chander Kush  
(Member)