

**BEFORE THE HARYANA REAL ESTATE REGULATORY  
AUTHORITY, PANCHKULA**

- i. **Complaint No. 369/2018-** Smt. Aruna and another  
**Versus**  
GLM Infratech Pvt Ltd.
- ii. **Complaint No. 559/2018-**GLM Buyers Welfare Association  
**Versus**  
GLM Infratech Pvt. Ltd.
- iii. **Complaint No. 1373/2018-**Rajesh Sood  
**Versus**  
GLM Infratech Pvt. Ltd.

**Date of Hearing:** 13.03.2019

**QUORUM:**

1. Shri Rajan Gupta, **Chairman**
2. Shri Anil Kumar Panwar, **Member**

**APPEARANCE:**

In complaint no. 369/2018

1. Ms. Aruna, Complainant in person.
2. Shri Jaswant Singh, Counsel on behalf of respondent

In complaint no. 559/2018 and complaint no. 1373/2018

1. Shri Arun Gupta, Counsel on behalf of complainant
2. Shri Jaswant Singh, Counsel on behalf of respondent

**Order:**

On the last date of hearing the Authority had directed that:

- i. Respondent shall deposit Rs. 28 crores obtained from M/s  
Refulgent Renewable Energy Pvt. Ltd in an escrow account.





- ii. Respondent shall continue to regularly file monthly statement of escrow account showing therein all the deposits and debit entries made during the month.
- iii. Respondent shall file monthly schedule of construction work ranging from 01.03.2019 to 30.09.2019.
- iv. Respondent shall settle the matter with Ms. Aruna Kalra and Ms. Indu Bala by the next date.

However, the Counsel for the respondent is seeking more time of one month to comply with the directions issued by the Authority. This matter was first heard by the Authority on 03.10.2018 and the matter came before this Authority seven times. The respondent has repeatedly made assurances to arrange funds and to file monthly statement of account, however, the same has not been done. Even the assurance made to settle the matter with Ms. Aruna Kalra and Ms. Indu Bala is not being fulfilled. The Authority is unable to trust the words of respondent, as on the last date of hearing specific directions were given on the basis of assurances made by the Director of the company but the same have not been complied with.

2. Two of the complainants i.e. Ms. Aruna Kalra and Ms. Indu Bala have argued their case themselves and have prayed for refund as they are facing financial hardships being widows having no source of income. Various opportunities have been given to the respondent for arriving at settlement with these two complainants, however, till date no settlement has been arrived at.

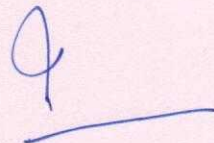




Ms. Aruna Kalra had booked the Flat on 16.06.2010. Following which an agreement was executed on 16.06.2011, in terms of the said agreement the respondent was supposed to deliver the possession of the unit by 16.06.2015. However there has been delay of more than three years. Till date she has made payment of Rs. 34,70,270/- against total sale consideration of Rs. 39,42,500/-.

Ms. Indu Bala was allotted Flat No. 504, B-1 with an area measuring 1590 Sq. Ft. for a total sale consideration of Rs. 44,45,150/-, an agreement for the said unit was executed on 20.05.2011. She has already made payment of Rs.36,93,619/-. As per the terms of the agreement, the respondent was supposed to deliver the possession of the unit by 20.05.2015. However, in her case also there has been delay of more than three years. On the assurances of the respondent and in the interest of the overall project, the Authority has given various opportunities to the respondent to settle the matter with these two complainants. However the same has not been done. Taking account of such long delay in handing over the possession to them and the irresponsible behavior of the respondent towards these two complainants, the Authority finds that the request for refund is just and fair. The hardships faced by these complainants also justify the demand for refund.

Therefore, the Authority directs the respondent to refund the amount paid by Ms. Aruna Kalra (Rs. 34,70,270/-) and Ms. Indu Bala (Rs. 36,93,619/-) alongwith interest from the date of deposit of the amount to the actual date of refund as per Rule 15 of HRERA Rules 2017 i.e. SBI MCLR + 2%, within a



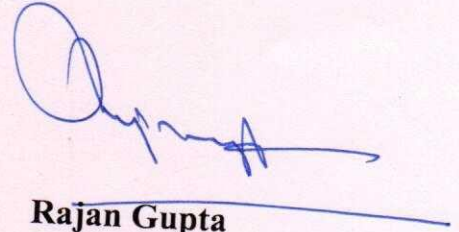


period of seven days from uploading of this order. With regard to these two complainants the matter stands Disposed off in the abovesaid terms.

3. With regard to the remaining complainants in the Complaint No: 559/2018 and 1373/2018, the matter is adjourned for **04.04.2019** and the respondent is directed to place something concrete on record in compliance with the directions issued by the Authority in its previous order dated 27.02.2019.



**Anil Kumar Panwar**  
Member



**Rajan Gupta**  
Chairman