



Complaint No. 1762/2019

**HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA**

Website: www.haryanarera.gov.in

**COMPLAINT NO. 1762 OF 2019**

Ferrous Seventy Buyer Welfare Association

....COMPLAINANT

VERSUS

Ferrous Infrastructure Pvt Ltd.

....RESPONDENT

**Hearing: -12<sup>th</sup>**

**CORAM: Rajan Gupta  
Dilbag Singh Sihag**

**Chairman  
Member**

**Date of Hearing: 15.12.2021**

**Present through video call: -** Sh. Himanshu Raj, learned counsel for the complainant.

None for the respondent.

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

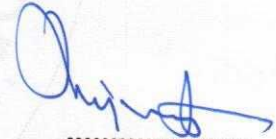
1. Case was fixed for placing on record proof of withdrawn of application filed by respondent company for availing migration of the approved project in question into Deen Dayal Jan Awas Yojna before the Concerned department. Today neither respondent appeared nor filed any document substantiating his statement.
2. On the other hand, learned counsel for the complainant stated that present complaint was filed by the complainant-association to seek indulgence of this Authority to prohibit respondent from abandoning approved project to DDJAY scheme without the consent of two-third allottees as per provision of Section 14 of RERA Act 2016.
3. After going through the record available on file, Authority observes that it was informed by learned counsel for the respondent that an application filed by the respondent for migration of the project in question before concerned authority had already been withdrawn as mentioned in orders dated 21.10.2021. Moreover, Authority has already given its direction vide order dated 03.03.2021. Operative part of the same is reproduced below for reference:

*“Complainant's grievance is based on section 14 of the RERA Act which forbids a*

*promoter from carrying out any modification, addition or alteration in sanctioned plan, layout plans and specifications of the buildings on the common areas within the project without consent of two-third allottees. In other words, a written consent of two-third allottees is required before any amendment/alteration in approval layout plan of the project. It is averred that promoter has not obtained any consent from the allottees in this regard. Therefore, complainant's prayer for stopping the respondent to migrate the original approved plotted colony to DDJAY colony cannot be outrightly dismissed and it needs a proper and legal adjudication."*

4. In view of above, Authority decides to dispose of present complaint as relief prayed by the complainant association is fulfilled in view of statement of learned counsel for respondent recorded in order dated 21.10.2021 and now, it becomes infructuous. Case is **disposed of** with above directions.

File be consigned to record room after uploading of this order on the website of the Authority.



RAJAN GUPTA  
[CHAIRMAN]



DILBAG SINGH SIHAG  
[MEMBER]