

PROCEEDINGS OF THE DAY

Day and Date	Thursday and 14.03.2019
Complaint No.	907/2018 Case Titled As Adel Landmark Limited V/S ICICI Bank Ltd.
Complainant	Adel Landmark Limited
Represented through	None for the complainant
Respondent	ICICI Bank Ltd.
Respondent Represented through	None for the respondent
Last date of hearing	First hearing
Proceeding Recorded by	Naresh Kumar, S.L.Chanana and H.R.Mehta

Proceedings

Project is not registered with the authority.

Since the project is not registered, 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.

Complaint was filed on 12.09.2018. Notices w.r.t. reply to the complaint were issued to the respondent on 4.10.2018, 16.10.2018 and 4.12.2018. Besides this, a penalty of Rs.5,000/- and Rs.10,000/- was also imposed on 16.10.2018 and on 4.12.2018 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 27.2.2019 by way of email was sent to both the parties to appear before the authority on 14.3.2019.

Today the case was fixed for arguments but the parties are not present. Waited sufficiently. It seems that the parties are not serious in pursuing complaint. Accordingly, complaint is dismissed in **default for nonappearance** of the complainant. File be consigned to the registry.

Samir Kumar
(Member)
14.03.2019

Subhash Chander Kush
(Member)