



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 1303 OF 2021

Jasbir Singh and Pavneet Singh Bains

....COMPLAINANT(S)

VERSUS

SRS Real Infrastructure Ltd

....RESPONDENT(S)

2. COMPLAINT NO. 1304 OF 2021

Santoshi Devi

....COMPLAINANT(S)

VERSUS

SRS Real Infrastructure Ltd

....RESPONDENT(S)

3. COMPLAINT NO. 1305 OF 2021

Phoolwanti Devi

....COMPLAINANT(S)

VERSUS

SRS Real Infrastructure Ltd

....RESPONDENT(S)

CORAM:

**Rajan Gupta
Dilbag Singh Sihag**

**Chairman
Member**

Date of Hearing: 08.02.2022

Hearing: 1st (in all complaints)


Present: - Mr. Jasbir Singh, complainant in person
(in complaint no. 1303 of 2021)
Ms. Santoshi Devi, complainant in person
(in complaint no. 1304 of 2021)
Ms. Phoolwanti Devi, complainant in person
(in complaint no. 1305 of 2021)

None for the Respondent

ORDER (RAJAN GUPTA-CHAIRMAN)

Above captioned complaints shall be disposed of through this common order because the core issue involved in all cases are similar. This order is being passed in view of the facts of lead complaint case no. 1303 of 2021 titled Jasbir Singh and Pavneet Singh Bains versus SRS Real Infrastructure Ltd.

2. Complainant's case is that he booked a plot bearing nos. as F-85 measuring 100 sq. yds. in respondent's project SRS Residency, Panchkula on 22.10.2016 by paying booking amount of ₹2,48,000/-. As per demands raised by the respondent from time to time, the complainant had paid ₹5,58,000/- till 23.10.2017 against total sale consideration of ₹6,20,000/-. Plot buyer



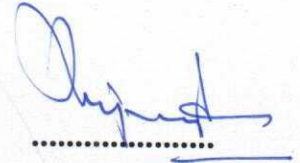
agreement was executed on the same date i.e. 22.10.2016 and it made obligatory for the respondent to deliver possession within 36 months from the start of construction for applying and obtaining the completion certificate/ occupation certificate in respect of plot or the project. But till date, neither possession has been offered nor any construction work has been carried out at the site of the project. Thus, the complainant prays for possession of the plot or in alternative refund of the entire paid amount along with interest.

3. Notice sent to respondent has been received back with a courier report that receiver shifted from given address. So, none appeared on behalf of respondent.

4. The Authority observes that present complaints are not maintainable because the Authority earlier had disposed of complaints related to the similar project having same grievances wherein a report was received from DTP, Panchkula revealing that the colony named 'SRS Residency' is not a licensed colony. Therefore, said colony could be an unauthorised colony. The project in question is located in Panchkula township. The respondent was required to obtain license from Town and Country Planning Department for carrying out development of the project. He has not obtained any such license. The complainants by investing in a project which was being developed illegally, were a privy to illegal development of a colony. So, they can not be given any relief by this Authority which has been created with an aim to

promote and regulate real estate sector in an orderly manner. Viewed from this prospect, this Authority is of the considered opinion that the complainants are not entitled to seek any relief from this Authority and the complaints are liable to be dismissed. However, the complainants will be at liberty to seek redressal of their grievances from any other competent court as per law.

5. **Disposed of.** Files be consigned to record room and order be uploaded on the website of the Authority.



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RAJAN GUPTA
[CHAIRMAN]



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DILBAG SINGH SIHAG
[MEMBER]