



**HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.**

Complaint No. RERA-PKL-503 of 2019

Sunil Kumar.

...Complainant.

Versus

M/s Parsvnath Developers Limited.

...Respondent.

**Date of hearing:-** 02.04.2019 ( 1<sup>st</sup> Hearing)

**Coram:-**

Shri Anil Kumar Panwar, Member  
Shri Dilbag Singh Sihag, Member.

**Appearance:-**

Shri Sushil Kumar, Advocate for complainant.  
Smt. Rupali S. Verma, Advocate for respondent.

**ORDER:-**

There is no dispute between the parties that the respondent had allotted a plot measuring 300 Sq. Yards in his project named "Parsvnath City Township" situated at Rohtak to Mr. Anil.

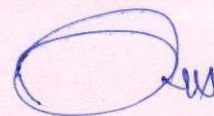
2. The complainant had purchased the said plot from the original allottee and the respondent had duly endorsed transfer in his favour on 20.06.2011. In terms of the buyer's agreement executed between the parties, respondent was obliged to deliver the possession to the complainant by March, 2014 but the

complainant had not received the possession of the plot till date. So, he has approached for refund of the amount.

3. The respondent in his written statement has not denied the genuineness of the receipts, attached with complaint, against which part payments were made to him. The total amount of these receipts comes to Rs. 13,50,000/-. The buyer's agreement, copy of which is attached as Annexure-15 with the complaint, also recites that the respondent had received a sum of Rs. 13,50,000/- from the complainant.

4. During the course of arguments, learned counsel for the respondent when question about the present status of the project has fairly conceded that the project is neither complete nor the promoter will be in a position to deliver the valid possession to the complainant because serious disputes are pending with the Government with regard to the payments of EDC and IDC. So, the Authority is of the considered opinion that it is a fit case for allowing refund in favour of the complainant.

5. Consequently, the complaint is disposed of with the direction that the respondent shall refund the already received amount of Rs. 13,50,000/- to the complainant alongwith interest @ prescribed in Rule-15 of the HRERA Rules, 2017. Respondent shall pay the amount alongwith interest within 90 days in two equal instalments, of which first instalment shall be paid within 45 days from the date of uploading of the order and the second instalment in the next 45 days.



6. Case is **disposed of** and file be consigned to the record room.



**Dilbag Singh Sihag**  
Member



**Anil Kumar Panwar** -  
Member