



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

Complaint No. RERA-PKL-2325 of 2019

Anjali Arora and Others

...Complainant

Versus

SRS Real Infrastructure Ltd.

...Respondent

CORAM: **Rajan Gupta**
 Dilbag Singh Sihag

Chairman
Member

Date of Hearing: 24.02.2022

Hearing: 6th

Present: - None for the complainant

None for the respondent

ORDER: (DILBAG SINGH SIHAG-MEMBER)

While perusing case file, it is observed that complainant booked a plot bearing no. B-39 in respondent's project SRS Residency, Panchkula on 13.11.2015 by paying booking amount of ₹99,000/-. She had paid ₹11,35,000/- against total cost of ₹9,90,000/-. Plot buyer agreement was executed on 29.02.2016 and as per agreement, respondent had to deliver possession within 3 years from the date of execution of the agreement i.e. up to 01.03.2019. But till date, neither possession has been offered nor any construction work has been carried out at the site of the project. Thus, complainant prays for refund of the entire paid amount along with permissible interest.

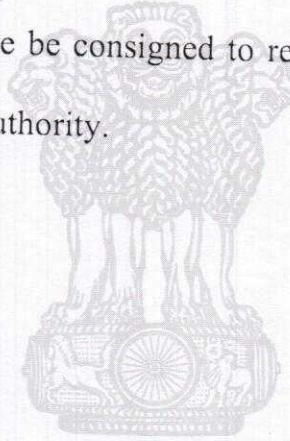
2. It had transpired that Directors of the respondent company were confined in jail. Therefore, notice was served to the respondent through Superintendent of jail. Despite service of notice, respondent neither appeared nor filed its reply till date.

3. Complainants stated that no development work has been done at the site of the project, a report was called from the office of District Town Planner (DTP) regarding current status of the said project. A report dated 12.06.2020 was received from DTP, Panchkula revealing that colony named 'SRS Residency' is not a licensed colony and said colony could be an unauthorized colony.



4. Admittedly, project in question is located in Panchkula District. 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 license. The complainant by investing into a project which was being developed illegally, were a privy to illegal development of a colony. So, this complainant is not maintainable. Authority does not have jurisdiction to entertain and adjudicate this matter in view of Rule 2(o) of HRERA Rules 2017. So, the present complaint is dismissed with liberty to the complainant to seek redressal of her grievance from competent court as per law.

5. **Disposed of.** File be consigned to record room after uploading of order on the website of the Authority.



सत्यमेव जयते


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(RAJAN GUPTA)
CHAIRMAN


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(DILBAG SINGH SIHAG)
MEMBER