



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

Complaint No. RERA-PKL-90 of 2018

Surender Kumar

...Complainant.

Versus

Rangoli Buildtech Pvt. Ltd.

...Respondent.

**Date of hearing: - 03.04.2019 (3<sup>rd</sup> Hearing)**

**Coram: -** 1. Shri Rajan Gupta, Chairman.  
2. Shri Anil Kumar Panwar, Member  
3. Shri Dilbag Singh Sihag, Member.

**Appearance: -** 1. Sh. Sushil K Sharma, Counsel for Complainant.  
2. None for Respondent

**ORDER: -**

This matter has already been listed for hearing twice earlier. The respondent has not appeared nor filed any written statement. Therefore, the Authority decides to hear the matter ex-parte.

2. In brief the case of the complainant is that he had booked a plot on 29.10.2005 in the project named "TDI Greens" Sector 16, Sonipat being developed by the respondent. Complainant has paid booking

amount of Rs. 3,12,500/- which constitutes 20% of the total cost of the plot. Further, another sum of Rs.1,96,875/- was paid on 02.02.2006. Thus, total amount paid works out to Rs. 5,09,375/-. At the time of booking Advance Registration Form was filled by the complainant. This form was the only document executed between both the parties. No plot buyer agreement was ever executed. Total sale consideration of the plot was Rs. 15,62,500/- out of the complainant has paid Rs.5,09,375/- till 02.02.2006. As per payment plan, the allotment of the plot was to be made within 6 months from the date of booking but no allotment has been made till date.

3. Learned counsel for complainant also stated that the license bearing nos. 65 to 98 of 2005 were granted to the respondent to develop the said colony which have expired and the respondent has not even renewed those licenses. No development work has been done at the site. He alleges that the respondent has deliberately and willfully taken his hard-earned money and is wrongfully enjoying it for the last 14 years without even starting the development works of the project. Now, the complainant in his pleadings has prayed for possession of the plot and also compensation for delay in completing the project along with interest.

4. After consideration of the submissions made by learned counsel for complainant, the Authority observes that this project appears to be a failed project of which licenses have not been renewed nor any







development work has been taken place. Allegedly no development work has taken place. It, however, remains proven that even after lapse of nearly 14 years, offer of possession has not been made. Apparently additional demands for payments have also not been raised by the respondent. All these facts lead to an unmistakable conclusion that complainant deserves refund of the money paid by him. Now, the Authority disposes of the case by directing respondent to refund the entire amount paid by complainant along with interest calculated as per State Bank of India highest marginal cost of landing rate plus 2% as prescribed under Rule 15 of Haryana State (Regulation and Development) Rules, 2017 from the date of payment up to the actual date of payment. Respondent shall make the payment within 90 days in two instalments of which first instalment shall be paid within 45 days from the date of uploading of this order and the second instalment within next 45 days.

**Disposed of** in the above terms. File be consigned to record room and the order be uploaded on the website.

  
Dilbag Singh Sihag  
Member

  
Anil Kumar Panwar  
Member

  
Rajan Gupta  
Chairman