

Ajay Enterprises Pvt. Ltd.
Vs.
Kenwood and Clifton Apartment and others
CM No. 509 of 2024
In Appeal No. 263 of 2024

Present: Mr. Aashish Chopra, Sr. Advocate assisted by
Mr. Yashpal Sharma, Advocate
for the appellant.

Challenge has been posed in this case to order dated 29.02.2024 passed by the Haryana Real Estate Regulatory Authority at Panchkula.

Counsel for the appellant submits that a perusal of the complaint shows that the Authority has travelled beyond the relief sought by the complainant which claims to be Resident Welfare Association (Respondent no. 1 herein). He further contends that the Authority vide its order dated 04.05.2023 directed the appellant to provide statement of accounts showing the amounts received from the allottees/association in view of the IFMS charges, replacement funds etc. The Authority came to the conclusion that aforesaid direction had not been complied with the appellant.

Mr. Chopra contends that affidavit dated 23.08.2023 was filed and taken on record as would be clear from perusal of the order dated 04.09.2023 (Page No.606). This aspect was ignored by the Authority.

Appeal be registered.

Issue notice to the respondents for 12.07.2024.

Mr. Nitin Kant Setia, Advocate, who is present in Court, accepts notice on behalf of the respondent no. 1 (Kenwood and Clifton Apartment Owners Association).

Process be issued for this purpose.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

02.07.2024
Manoj Rana