

TDI Infrastructure Pvt. Ltd.
Vs
Kamal Dhamija and another
CM No.1255 of 2023
In Appeal No.410 of 2023

Present: Mr. Shubnit Hans, Advocate, along with
Mr. Arjan Preet Singh, Advocate,
for the appellant.

Mr. Kamal Dhamija, one of the appellants in person
along with Mr. Roopak Bansal, Advocate.
Ms. Shilpa Gupta, allottee in Appeal No. 411 of 2023
along with Mr. Varun Gupta, Advocate.

Present case pertains to a project—"Espania Floors"
floated by M/s TDI Infrastructure Pvt. Ltd. in Sonapat.

It appears that number of complaints filed before the
Authority at Panchkula have been disposed of by a common order.
Admittedly, occupation certificate was not granted to the appellant-
company by the office of Director General, Town and Country
Planning, Haryana. The Authority thus asked the promoter to refund
the amounts due to the allottees along with interest. In certain
cases, however, the allottees took possession despite the fact that no
occupation certificate had been granted by the competent authority.

As per the allottees, Mr. Kamal Dhamija and Ms. Shilpa
Gupta, present today before this Bench, construction is not upto
mark, unsafe and fate of the project is uncertain.

In view of the above, Mr. Hans submits that status
report regarding the type of construction by way of affidavit of one of
the Directors of the Company shall be filed in this case within two
weeks from today.

List on 21.01.2025.

Photocopy of the order be placed on file in Appeal No.
411 of 2023.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

18.12.2024
Mk