

Privvy93 Owners Association
Vs.
M/s Spaze Towers Pvt. Ltd.
CM No. 1327 of 2023
In Appeal No.665 of 2023

Present: Ms. Rupali Shekhar Verma, Advocate,
for the appellant.

Ms. Verma contends that the Authority instead of examining the contents of the complaint and arguments raised before it, appointed a investigating officer to submit a report regarding the issues raised by owner/residents of the Privvy93 Owners Association (appellant herein). As per counsel, the Authority relied wholly solely on the report submitted by a retired IAS officer namely, Mr. Suparbha Dahiya, Investigating Officer and returned its findings.

Ms. Verma further submits that a perusal of the order would show that Authority has given erroneous findings as regards external electrification charges as builder himself was responsible for depositing lesser than amount to DHBVN. Besides, unjustified increase in super area has been held to be valid despite the fact that it was beyond the terms of the agreement. She, further, submits that excess charges of EDC/IDC are also unsustainable.

Referring to Regulation 21(a) of the Regulations framed by the HRERA, Gurugram, she submits that the Authority has conferred on itself its powers of investigation, which are not contemplated by the Act.

Appeal be registered.

Issue notice to the respondent for 19.12.2024.

Process be issued for this purpose.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

10.09.2024
Rajni