



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY		97
Day and Date	Tuesday and 10.12.2024	
Complaint No.	CR/160/2024 Case titled as Rohit and Aradhna Patney VS SARV Realtores Private Limited & Supertech Limited	
Complainant	Rohit and Aradhna Patney	
Represented through	Shri Garv Malhotra Advocate	
Respondent	SARV Realtores Private Limited & Supertech Limited	
Respondent Represented	Shri Bhrigu Dhami Advocate on behalf of Supertech Limited S/Shri Rohit Arora and Dushyant Tewatia Advocates on behalf of M/s Sarv Realtors Pvt. Ltd for R2 with Ms. Isha Dang AR	
Last date of hearing	02.09.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint has been received on 24.01.2024. Reply on behalf of respondent not received yet. The complaint was adjourned sine die on account of respondent no.1 being in Corporate Insolvency Resolution Process and appointment of IRP against the respondent by the NCLT Delhi Bench. On the last date of hearing i.e., 02.09.2024, none was present on behalf of the complainant, the present complaint relates to "Hues" project. Last opportunity was granted to the complainant to peruse the complaint. The counsel for the respondent states that the complainant had already filed a complaint bearing No.2821 of 2019 which was decided by the Hon'ble Authority no 26.02.2020 granting delayed possession charges. Now the		

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complainant has filed the fresh complaint for the same relief which is not maintainable due to res judicata.

The counsel for the complainant states that respondent No.2 did not comply with the orders of the Authority within 90 days and the complainant had filed execution petition No.1596/2021 for enforcement of orders. During the pendency of the execution petition, the Hon'ble AO referred the matter to CA for assessment of account and as per calculation, Rs.18,15,699/- was to be paid by the respondent but further the respondent did not comply with the orders of Hon'ble AO as well as of the Authority. Meanwhile the Supertech Ltd was gone to Insolvency hence he has filed the fresh complaint before the Authority.

Order heard on the issue of maintainability.

Order reserved.

Matter to come up on 11.03.2025 for pronouncement of order on the point of maintainability.

Ashok Sangwan
Member

Arun Kumar
Chairman
10.12.2024

Vijay Kumar Goyal
Member