



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

24

Day and Date	Tuesday and 28.01.2025
Complaint No.	MA NO. 1033/2024 in CR/1722/2024 Case titled as Prithvi Pal Rana VS Sunrays Heights Private Limited
Complainant	Prithvi Pal Rana
Represented through	Shri Vijay Pratap Singh Advocate
Respondent	Sunrays Heights Private Limited
Respondent Represented	Ms. Shivali proxy counsel
Last date of hearing	Application u/s 36 of the Act
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed by the complainant on 10.09.2024 and reply on behalf of the respondent was filed on 09.09.2024.

The complainant has filed an application dated 13.12.2024 under Section 36 of the Haryana Real Estate Regulatory Act, 2016 requesting not to create any third-party rights with respect to the unit in question till the pendency of the complaint along with imposition of penalty for willfully disobeying and not complying with orders and directions of this Authority order dated 23.01.2024, 23.04.2024, 29.04.2024 in MA No. 233 of 2024 arising in original complaint no. 1244 of 2022.

That vide order dated 29.04.2024, the Authority allowed MA No. 233/2024 of the complainant /applicant herein and has given a blanket stay on the allotted units of the buyers/complainants and has categorically directed the respondent / non- applicant to not cancel any unit/apartment in the project in respect of which more than 85% of the sale consideration has already been paid by the allottee and further directed not to create any third party rights in respect of such unit/apartment.

The contents of said order were published in the newspaper vide the Authority order vide orders dated 29.04.2024 in-RERA-GRG-1482-2023 (Extension Project), whereby not only the respondent/non-applicant but the public at large were sufficiently informed about the directions/order of this Authority. Despite the aforesaid order being passed in the presence of the



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
MA No 1033/2024 in EA/1/2024

respondent / non-applicant and sufficient publication thereof, the non-applicant acting through its directors and key managerial persons have proceeded to issue cancellation notices to the allottees in complete disobedience of this Authority.

The total consideration of the flat was Rs.24,67,870/- and the complainant had paid an amount of Rs.22,46,777/- (exclusive of tax) as and when the demands were raised by the respondent / non applicant. The only last demand, which is not yet raised by the respondent is pending.

The proxy counsel for the respondent states that the main arguing counsel is not available today and seeks a short adjournment.

On the basis of the facts presented before the Authority, a prima facie case for action under section 63 of the Act, 2016 for non compliance of directions of the Authority is made out. The respondent is directed to show cause as to why a penalty for failure to comply the orders of the Authority may not be imposed as prescribed under section 63 of the Act 2016. A reply in this regard may be submitted within a period of 4 weeks failing which legal consequences shall follow. Meanwhile, the respondent is restrained from cancelling the unit of the complainant or creating any third party rights on the same till the disposal of the complaint.

Matter to come up on 08.04.2025 the date already fixed in this case for further proceedings.

Ashok Sangwan
Member

Arun Kumar
Chairman
28.01.2025

Vijay Kumar Goyal
Member