

PROCEEDINGS OF THE DAY

Day and Date	Tuesday and 02.04.2019
Complaint No.	1809/2018 Case Titled As Abha Sharma V/S BPTP Ltd.
Complainant	Abha Sharma
Represented through	Shri Chetan Dhingra, Advocate
Respondent	M/S BPTP Ltd.
Respondent Represented through	Shri Shashank Bhushan Advocate
Last date of hearing	First hearing
Proceeding Recorded by	Naresh Kumari & S. L. Chanana

Proceedings
Project is not registered with the authority.

Since the project is not registered, notice under section 59 of the Real Estate (Regulation & Development) Act, 2016, for violation of section 3(1) of the Act be issued to the respondent. Registration branch is directed to do the needful.

Complaint was filed on 4.12.2018. Notices w.r.t. reply to the complaint were issued to the respondent on 7.12.2018, 19.12.2018 and 7.1.2019. Besides this, a penalty of Rs.5,000/- and Rs.10,000/- was also imposed on 19.12.2018 and on 7.1.2019 for non-filing of reply even after service of notices. However, despite due and proper service of notices, the respondent neither filed the reply nor come present before the authority. From the above stated conduct of the respondent, it appears that respondent

does not want to pursue the matter before the authority by way of making personal appearance by adducing and producing any material particulars in the matter. As such, the authority has no option but to proceed ex-parte against the respondent and to decide the matter on merits by taking into account legal/factual propositions, as raised, by the complainant in his complaint.

A final notice dated 13.3.2019 by way of email was sent to both the parties to appear before the authority on 2.4.2019.

Counsel for the respondent has submitted demand draft No.940254 dated 28.03.2019 amounting to Rs.10,000/-towards penalty imposed by the authority and seeks time to file reply. Subject to payment of remaining penalty amount of Rs.5,000/- respondent is at liberty to file within 15 days with copy to the complainant.

Case is adjourned to 14.5.2019 for final arguments.

Subhash Chander Kush
(Member)

Dr. K.K. Khandelwal
(Chairman)
02.04.2019