



**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

<b>PROCEEDINGS OF THE DAY</b>		<b>71</b>
Day and Date	Friday and 15.03.2024	
Complaint No.	CR/1842/2022 Case titled as Clarion Properties Limited VS Experion Developers Pvt Ltd	
Complainant	Clarion Properties Limited	
Represented through	Shri Arul Parkash, Advocate	
Respondent	Experion Developers Pvt Ltd	
Respondent Represented	None	
Last date of hearing	08.12.2023	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
<b>Proceedings</b>		
<p>None appeared on behalf of the respondent nor written reply has been filed till date.</p> <p>Counsel for the complainant states that they had booked the commercial unit way back in 2017. BBA was duly executed on 5.5.2017 although the same is not registered and the promoters have taken 100% payment of the unit . Counsel for the respondent no.1 has moved an application for deletion of name of the respondent no.1 from the complaint and the counsel for the complainant has filed the reply to the said application, However, the same is not available in the registry of the authority and counsel for the complainant has handed over one copy of the same during proceedings which is taken on record. None from the respondent no.1 is present and has not even fled the reply to the main complaint inspite of repeated opportunities. Counsel for the complainant further stated that as per the latest decision of the Hon'ble Bombay High Court in case of Wadhwa Group Housing Project VS Vijay Choksi and other in case no.2<sup>nd</sup> appeal no.21842/2023 dated 16.2.2024 in which it is held that all the promoters are jointly and severally liable.</p>		



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CR/18/42/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

The respondent No. 1 is directed to file reply within two weeks with an advance copy to the complainant along with cost of Rs.10,000/- to be paid to the complainant failing which defence of the respondent shall be struck off.

Matter to come up on 31.5.2024 for further proceedings and final arguments on deletion application filed by the respondent no.1 otherwise the authority shall be bound to proceed ex-parte.

  
Sanjeev Kumar Arora  
Member  
15.03.2024