



HARERA
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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		36
Day and Date	Thursday and 12.05.2022	
Complaint no.	CR/2348/2021 Case titled as Naresh Kumar Jain Vs. Emaar MGF Land Ltd.	
Complainant	Naresh Kumar Jain	
Complainant represented through	Sh. Rupesh Kumar Sinha, Advocate	
Respondent	Emaar MGF Land Ltd.	
Respondent represented through	Sh. Harshit Batra, Advocate	
Last date of hearing	04.03.2022 (Transferred from AO)	
Proceeding recorded by	Naresh Kumari and HR Mehta	
Proceedings The file has been received on transfer from the adjudicating officer in view of the judgment dated 11.11.2021 passed by the Apex Court in case titled as <i>M/s Newtech Promoters and Developers Pvt Ltd Versus State of U.P. and Ors.</i> wherein it was held that when it comes to refund of the amount, and interest on the refund amount, or directing payment of interest for delayed delivery of possession, or penalty and interest thereon, it is the regulatory authority which has the power to examine and determine the outcome of such complaint. The present complaint was filed in 'Form CAO' on 07.06.2021 and the reply has been filed by the respondent on 01.09.2021. Subsequently, the complaint has been filed in 'Form CRA' on 08.04.2022. In the present complaint, the complainant is seeking relief w.r.t pre-EMIs to be paid by the respondent in terms of subvention scheme opted by the complainant. The counsel for the respondent submitted that concerned Bank may be impleaded as a necessary party before adjudicating upon the aforesaid relief.		



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CR/2348/2021

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Keeping in view the above, the authority is of the view that a notice be issued to HDFC Limited as to why the bank should not be impleaded as Respondent No.2 on the basis of record available in the file.

Registry is directed to take necessary action and issue a notice to HDFC Limited to appear before the authority on the next date of hearing i.e. 15.09.2022 and file written reply within a period of 15 days in the registry with an advance copy to the respondent No. 1 - Emaar India Limited as well as to the complainant.

Matter to come up on 15.9.2022 for further proceedings.

V.K. - 3
Vijay Kumar Goyal
Member

Dr. KK Khandelwal
Chairman
12.05.2022