

PROCEEDINGS OF THE DAY

Day and Date	Friday and 09.04.2021
Complaint No.	CR/2397/2018 Case titled Mr Sandeep Sahanan And Sh Krishan Kumar Sahanan VS Ansal Housing & Construction Limited
Complainants	Mr Sandeep Sahanan And Sh Krishan Kumar Sahanan
Represented through	Ms. Priyanka Agarwal, Adv
Respondent	Ansal Housing & Construction Limited
Respondent Represented through	Ms. Meena Hooda, Adv for the respondent-company.
Last date of hearing	
Proceeding Recorded by	Pawan Sharma

Proceedings

Though the matter was fixed for arguments but an application for recalling order dated 09.03.2021 filed. It is pleaded on behalf of the respondent that the order dated 05.03.2020 could not be complied with due to Covid-19, hijacking of its system and officers/officials attending the office virtually. So, in such a situation, some more time be given to comply with the order dated 20.03.2020 and if the application is not allowed, it would cause prejudice to the respondent.

2. The application filed in this regard is being opposed by taking the plea that it is just a ploy to delay the decision of the case. The respondent-builder was directed vide order 19.11.2019 by the Hon'ble Authority to file certain documents detailed in it. Despite a lapse of more than 1.3 years that order has



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

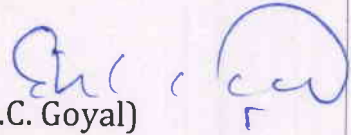
New PWD Rest House, Civil Lines, Gurugram, Haryana

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

not been complied with. Even the respondent is not ready to file those documents now for proper adjudication.

3. A perusal of the case file shows that the respondent-builder is taking the proceedings in a casual manner. When an adverse order was passed against it then an application for re-calling the same is being moved on last date to avoid adverse consequences. The order dated 19.11.2019 passed by the Hon'ble Authority clearly shows that specific directions were given to the respondent to file certain documents for a proper adjudication. But despite passing of that order as well as order dated 05.03.2020, the respondent-builder failed to comply with the same. Even on the last date, it failed to file those documents by taking a plea that there was no message with regard to date of hearing and which is belied by the e-mail dated 27.02.2021. Whatever may be the position and in the interest of justice an opportunity should be given to the respondent-builder to comply with the order dated 19.11.2019 subject to payment of Rs. 15,000/- as costs (inclusive of cost already imposed) to be paid to the complainant by 19.04.2021 and file documents. If the respondent-builder fails to pay that amount to the complainant by that date, it would not be allowed to proceed further with application in hand and the same would stand dismissed automatically.

4. Let the matter be put up on 25.05.2021 for arguments.


(S.C. Goyal)
Adjudicating Officer
09.04.2021