

<b>PROCEEDINGS OF THE DAY</b>		<b>26</b>
Day and Date	Friday and 01.12.2023	
Complaint No.	MA NO. 423/2023 in CR/3460/2023 Case titled as Poonam Verma VS Ansal Housing Limited & Samyak Projects Private Limited	
Complainant	Poonam Verma	
Represented through	Shri Himanshu Gautam Advocate	
Respondent	Ansal Housing Limited & Samyak Projects Private Limited	
Respondent Represented through	None	
Last date of hearing	Application u/s 36 of the Act <b>09.11.2023</b>	
Proceeding Recorded by	Naresh Kumari	

#### Proceedings

The present complaint has been received on 01.08.2023 and the reply on behalf of respondent was received on 09.11.2023.

Further the complainant on 09.11.2023 filed an application under 36 of the Act 2016, restraining the respondent for creating third party right with respect to the subject unit since respondent no. 2 issued a public notice dated 04.05.2023 requesting allottee to submit all documents w.r.t booked unit for verification. The complainant duly submitted all the documents vide email dated 09.09.2023. Further respondent no. 2 issued a notice dated 01.06.2023 forcing the complainant to execute addendum agreement with R2 to continue their rights in respect of the booked unit.

This arbitrary act of the respondent is just for the purpose of escaping from standing liabilities of DPC for the delayed period as the due date of possession has expired way back in 2018.

The counsel for the complainant is seeking relief w.r.t non creation of third party rights and restraining the respondent to cancel the unit as the



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 विभाग गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

respondent No.2 has already sent a notice dated 11.09.2023 stating that if the complainant will not sign the addendum with R2, the allotted unit shall be cancelled. The complainant has already paid a sum of Rs.37,63,205/- against a total sale consideration of Rs.47,83,977/- .

None is present on behalf of the respondent today. Neither any reply has been received w.r.t. the application under section 36 of the Act, hence authority hereby directs the respondent not to cancel the unit and not to create any third party rights of the said unit till the final decision of the present complaint.

Matter to come up on 09.02.2024 the date already fixed in this case for further proceedings.

  
Sanjeev Kumar Arora  
Member  
01.12.2023