

PROCEEDINGS OF THE DAY		16
Day and Date	Wednesday and 15.02.2023	
Complaint No.	CR/3516/2020 Case titled as MUKUL CHANDRA AGARWAL Vs VSR INFRATECH PRIVATE LIMITED	
Complainant	MUKUL CHANDRA AGARWAL	
Represented through	Mohd. Aman Khan proxy counsel	
Respondent	VSR INFRATECH PRIVATE LIMITED	
Respondent Represented	Ms. Shriya Takkar and Manish Tawar Advocates	
Last date of hearing	21.12.2022	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

Arguments heard regarding maintainability of the complaint before RERA when already the same matter a complaint is pending before the NCDRC. The counsel for the complainant based his argument the remedy under RERA and NCDRC are concurrent, as held in Pioneer Urban Land Versus Union of India in case No.2019 8 SCC 416. Keeping in view the judgment M/s Ireo Grace Realtech Pvt. Lt. Versus Abhikesh Khanna and others 2021 SC-3 SCC 241, the complaint is disallowed with a liberty to the complainant to withdraw the complaint from the NCDRC and file a separate application thereafter with the RERA.

The complainant is filing copy of order of NCDRC regarding withdrawal of a complaint from NCDRC. He is further directed to submit the copy of the same in registry of the authority today itself after supplying a copy of the same to the counsel of the complainant.

The counsel for the respondent is also willing to file reply which shall be doing within a period of 3 weeks after supplying a copy to the complainant.

Matter to come up on **05.04.2023** for further proceedings.


Sanjeev Kumar Arora
Member
15.02.2023