

PROCEEDINGS OF THE DAY		65
Day and Date	Thursday and 21.11.2024	
Complaint No.	MA NO. 823/2024 in CR/3529/2024 Case titled as Rattan Lal Gupta VS Ramprastha Promoters Private Limited & Ramprastha Prompters and Developers Private Limited & Ramprastha Estate Private Limited	
Complainant	Rattan Lal Gupta	
Represented through	Shri Garvit Gupta Advocate	
Respondent	Ramprastha Developers Private Limited & Ramprastha Prompters and Developers Private Limited & Ramprastha Estate Private Limited	
Respondent Represented through	Ms. R. Gayatri Mansa Advocate	
Last date of hearing	Application u/s 36 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint was filed on 01.08.2024 and reply on behalf of respondents has not been filed yet by both the respondent. The complainant has also filed an application under Section 36 of the Act, 2016, seeking interim directions to restrain the creation of third-party rights in respect of their unit. However, upon reviewing the documents on record, the Authority observes that no specific unit number has been allotted to the complainant/allottees. Consequently, no directions for the requested interim relief can be issued in the absence of details regarding the specific unit. The counsel for the complainant, however, submits that in CR/3074/2024, stay directions have already been issued by the Hon'ble Member on 30.10.2024. The relevant portion of the said order, as highlighted by the complainant, is extracted below:		



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

"It has been brought to the notice of the Authority that the promoter is indulging in the sale of plots in the above property, which is yet to be registered, in blatant violation of Section 3 of the RERA Act, for which the respondent is liable for action under Section 59 of the Act, 2016. Therefore, the Planning Branch of the Authority is directed to initiate action in this regard, if not already initiated. Further, the respondent is restrained from creating any further third-party rights in the project till further orders."

The counsel for the respondent states that application u/s 36 of the Act was not sent by the complainant on email id and hence, has been received yesterday only from respondent no.1 and requests for filing reply to the said application which may be filed within two weeks in the registry of the Authority after supplying a copy of the same to the complainant.

Further, the respondent undertakes to file reply of the main complaint in today itself. The respondent is directed to file reply of the present complaint within a period of four weeks in the registry of the Authority with an advance copy to the counsel for the complainant.

Matter to be heard before the Full Bench for further proceedings.

Further proceeding date will be intimated to both the party via e-mail by the Authority.

V./

Vijay Kumar Goyal
Member
21.11.2024