PROCEEDINGS OF THE DAY	80
Day and Date	Tuesday and 09.07.2024
Complaint No.	CR/3751/2023 Case titled as Ashu Tandon VS Aster Infrahome Private Limited
Complainant	Ashu Tandon
Represented through	Shri Maninder Singh Advocate
Respondent	Aster Infrahome Private Limited
Respondent Represented	Shri Shanker Wig Advocate
Last date of hearing	18.04.2024
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint has been received on 25.08.2023 and the reply on was received on 02.11.2023.

On the last date of hearing i.e., 18.04.2024, the proxy counsel for the respondent has moved an application under Order 6 Rule 17 of CPC, 1908 and a copy of the same has been supplied to the counsel for the complainant during proceedings. The counsel for the complainant was directed to file reply to the said application within 15 days with an advance copy to the respondent. The complainant has filed the reply of the said application on 03.05.2024. The counsel for the complainant further, stated that the respondent to restrain to create third party rights as the complainant /allottee has already paid substantial consideration money and after filing the complaint before the authority for DPC, the counsel of the respondent has sought an adjournment on earlier occasion on 30.11.2023 and 08.02.2024.

The respondent has filed an application under Section 151 of CPC, 1908 wherein stating that the Hon'ble Court of Smt. Sakshi Saini Learned Civil Judge on the basis of certain documents and figures after obtaining confirmation from the said department pleased to grant due date of offer of possession as July 2021. The counsel for the complainant is directed to file

the response of the said application within a period of 15 days with an advance copy to the counsel for the respondent

The counsel for the complainant states that the complainant has paid already 75% payment of the sale consideration. While offer of possession the respondent/promoter has raised extra amount of Rs.8 lac.

The counsel for the respondent stated that due to non-payment of outstanding amount despite reminders, the unit has been cancelled and the amount has been refunded in the account of the complainant/allottee and its details are being filed in the registry.

The counsel for the complainant along with complainant stated that amount has been transferred in their account without any consent and are also ready to pay back the amount and delays in payment of instalment was due to non-adjustment of DPC and undue charges were being demanded.

Part arguments heard.

Both the parties may submit their written submissions within 4 weeks with an advance copy to each other.

Matter to come up on 01.10.2024 for final arguments and orders.

Sanjeev Kumar Arora
Member

Vijay Kumar Goyal
Member

Arun Kumar
Chairman
09.07.2024