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HARYANA REAL ESTATE REGULATORY AUTHORITY
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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

PROCEEDINGS OF THE DAY

6

Day and Date	Tuesday and 14.03.2023
Complaint No.	CR/3792/2019 Case titled as ASHISH SHARMA Vs VATIKA LTD
Complainant	ASHISH SHARMA
Represented through	Shri Rishabh Gupta Advocate
Respondent	VATIKA LTD
Respondent Represented	Shri Anurag Advocate
Last date of hearing	07.02.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

On the last date of hearing Shri Anurag Advocate, appeared on behalf of the respondent and sought short adjournment for filing of reply. The said request was allowed and the respondent was directed to file the reply within two weeks in the registry along with a cost of Rs. 10,000/- to be paid to the complainant. However till date neither the reply has been filed nor the cost imposed during the last proceedings has been paid to the complainant. Further, both the counsels state that the matter could not be amicably settled and hence the counsel for the complainant requests for hearing on merits.

The counsel for the complainant further states that the unit was booked on 01.10.2012 and as per SOA at Annexure C4, the complainant allottee has made a payment of Rs.16,45,068/- till date and this payment as per SOA is against a specific unit measuring 1610 sq. feet to be situated in the Seven Element (at page 33). However, no BBA was issued as there were discussion of change of the unit by the respondent but till date neither any alternative unit has been offered or BBA has been executed and the allottee does not wish to continue in the project and requests for refund of the amount deposited alongwith interest.

The counsel for the respondent states that he is filing the reply today and cost of Rs.10,000/- in cash has been paid to the counsel of the complainant during



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CR 13/192/2019

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

proceedings. But it is a matter of great regret that neither the counsel nor three number of representatives present in person is clear as to on what basis cancellation has been made and also not clear why the deductions have been made when no BBA has been issued and allottee has been requesting for the same since 2015.

No reply has been filed till date despite multiple opportunities and hence, right to file the reply is struck off.

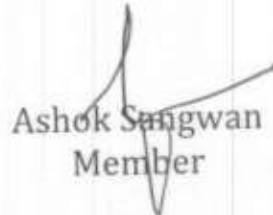
Both the counsels may submit written submissions within 10 days after supplying a copy to each other.


Arguments heard.

Order reserved.

Detailed order will follow. Matter stands disposed off. File be consigned to the registry.


Sanjeev Kumar Arora
Member


Ashok Sangwan
Member


Vijay Kumar Goyal
Member
14.03.2023