PROCEEDINGS OF THE DAY	28
Day and Date	Wednesday and 28.02.2024
Complaint No.	CR/403/2023 Case titled as Jagmohan Enterprises LLP VS NEO Developers Private Limited
Complainant	Jagmohan Enterprises LLP
Represented through	Shri Rajinder Singh, Advocate
Respondent	NEO Developers Private Limited
Respondent Represented through	Shri Venkat Rao, Advocate
Last date of hearing	22.11.2023
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings

The present complaint was filed on 03.02.2023 and the reply received on 15.11.2023.

On the last date of hearing, the counsel for the respondent had stated that the issue regarding assured return had been challenged before the Hon'ble High Court of Punjab and Haryana in CWP No.16896 of 2023 clubbed with CWP No.26740 of 2022 and the matter may not be decided till the issue is finally adjudicated.

Matter has now been clarified to the extent that the concerned authorities can proceed further in the ongoing matters pending with them.

The submissions of the counsel for the complainant have been summed up briefly in the proceedings dated 22.11.2023. The counsel for the complainant wishes to rely upon the orders of this authority passed in CR No.4281/2020 decided on 17.11.2021 wherein relief was granted on similar issues. The complainants are seeking payment of balance assured return and quashing of subsequent demands of VAT and interest and penalties imposed by the respondent.

The counsel for the respondent states that a detailed account of the amount paid by the complainant alongwith liability of sales tax/GST/VAT has been provided in the account statement. He further states that the issue of quashing of VAT/GST demand can be raised only in the right forum. So far the other demands are concerned, the final detailed notice dated 7.6.2021 was sent to the complainant for the payment to be made by 21.6.2021 failing which the allotted unit would deemed to be cancelled.

The counsel for the complainant states that the complainants have recently received a communication from the respondent seeking payment of dues and wishes to bring the same on record to prove that the units have not been cancelled as yet.

The complainant may file the additional documents within a period of 15 days after supplying a copy to the counsel for the respondent who may file response to the same within a period of further two weeks.

Part arguments heard

Matter to come up on **08.05.2024** for arguments and orders on additional documents and on **22.05.2024** for final arguments in the main matters.

Ashok Sangwan
Member
28.02.2024