



PROCEEDINGS OF THE DAY

17

| | |
|------------------------|---|
| Day and Date | Tuesday and 21.01.2025 |
| Complaint No. | MA NO. 974/2024 in CR/4391/2021 Case titled as ARUN KUMAR SINGH VS ANSAL HOUSING AND CONSTRUCTION LIMITED |
| Complainant | ARUN KUMAR SINGH |
| Represented through | None |
| Respondent | ANSAL HOUSING AND CONSTRUCTION LIMITED |
| Respondent Represented | None for R1 Shri Shanker Wig and Ms. Sanya Arora Advocates for R2 |
| Last date of hearing | Application u/s 39 of the Act |
| Proceeding Recorded by | Naresh Kumari and HR Mehta |

Proceedings-cum-order

The above-mentioned matters were heard and disposed of vide joint order dated 12.04.2023 wherein the Authority passed the following direction:

- The respondent is directed to refund the entire amount of ₹1,15,47,669/- paid by the complainants along with prescribed rate of interest @10.70% p.a. as prescribed under rule 15 of the rules from the date of each payment till the date of refund of the deposited amount.*

The respondent no. 2 has filed an application for rectification of order dated 12.04.2023 under section 39 of the Act, 2016 regarding the clarification w.r.t directions made by the Authority against which respondent to refund the amount paid by the complainant.

The respondent no. 2 prayed to hold only respondent no. 1 accountable to refund the amount paid and to stay the execution proceedings against respondent no. 2.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

gfj;k.kk Hkw&laink fofu;ked izkf/kdj.k]

xq#xzke

MA No 974/2024 in CA/4391/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana


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

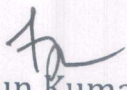
The counsel for the respondent No.2 states that there is a clerical error in the main order passed by the Authority on 12.04.2023 directions were also given to the respondent No.2 i.e. Samyak Projects Pvt. Ltd as there was only a corroboration agreement between R1 and R2 and the name of respondent No.2 should be deleted.

This Authority cannot go into the merits of the case at the present stage. It is observed that there is a clear finding in para 16 of the detailed order dated 12.04.2023 wherein it has been held that "the sole responsibility to return the amount paid by the complainant lies upon the respondent no. 1 as it is very clear from the documents placed on record that all the payments have been accepted by respondent no. 1 only." In view of the above, the word 'respondent' in the operative part of the order would refer to respondent no. 1.

Ordered accordingly. The file be consigned to registry.


Ashok Sangwan
Member


Vijay Kumar Goyal
Member


Arun Kumar
Chairman
21.01.2025