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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		44
Day and Date	Thursday and 18.04.2024	
Complaint No.	CR/4463/2021 Case titled as Vijyant Agarwal VS ATS Real worth Private Limited	
Complainant	Vijyant Agarwal	
Represented through	S/Shri Soibal Gupta and Himanshu Swami Advocates	
Respondent	ATS Real worth Private Limited	
Respondent Represented	Shri Simrat Singh proxy counsel	
Last date of hearing	18.01.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint has been received on 08.12.2021. Despite proper service of notice, no written reply has yet been filed. Moreover, the service is also confirmed from the fact that the respondent put in appearance through it's Advocate and marked attendance on 19.04.2022, 02.08.2022, 02.03.2023, 20.07.2023, 24.08.2023, 14.09.2023, 19.09.2023, 02.11.2023, and 18.01.2024 and was directed to file the reply within stipulated time period.

Despite proper service of notice, the respondent has failed to comply with the orders of the authority, by not filing a written reply within the time allowed. It shows that the respondent is intentionally delaying the proceedings of the authority by non-filing of written reply. Hence, it's defence is ordered to be struck off for not filing the reply.

The counsel for the complainant alongwith complainant present in person states that as per BBA, the respondent is required to pay pre-EMI, possession and the amount demanded as per BBA has not been paid. There is no progress to complete the construction and no status of the project is available at official website of the authority. The planning branch is directed to check the status of the project and in case of any violation to initiate necessary penal proceedings against the respondent and hence, requests for



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CR/4963/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

direction to the respondent to pay pre-EMIs till possession of the unit in terms of agreement alongwith outstanding arrears. Despite multiple opportunities, no reply has been filed and no reply is available even on date and the proxy counsel for the respondent is not aware about the status of the project and status of payment of pre-EMIs to the respondent, although the respondent is willing to pay the outstanding pre-EMIs in one go.

Arguments heard.

Detailed order will follow. Matter stands disposed off.

V.K. Goyal
Vijay Kumar Goyal
Member
18.04.2024