

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पॉइंटल्यू.सी. विमान गृह, सिविल लाइन्स, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY		30
Day and Date	Wednesday and 12.07.2023	
Complaint No.	CR/8039/2022 Case titled as EMU Lines Private Limited Vs Preserve Faciliteex Private Limited	
Complainant	EMU Lines Private Limited	
Represented through	None	
Respondent	Preserve Faciliteex Private Limited	
Respondent Represented through	Shri Harshit Batra Advocate	
Last date of hearing	First hearing	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings The present complaint was filed on 12.01.2023 and was fixed for appearance as well as filing of reply by the respondent. However, no reply has been filed by the respondent till date rather an application challenging maintainability of complaint has been filed vide which it submitted that the respondent company is only a maintenance agency maintaining the upkeep of the project. As per Section 31 of the RERA Act, 2016 any aggrieved person may file a complaint for violation or contravention of the provisions of the act against promoter, allottee or real estate agent. But the respondent being maintenance agency does not fall within the ambit of the Act of 2016. Hence, the current complaint is liable to be dismissed. He further cites case No.218 of 2019 decided on 06.04.2021 of RERA Panchkula wherein it has been held that cases of dispute		



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CA/8039/2022

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between the allottee and the maintenance agency do not fall under the purview of RERA Act, 2016.

Case has been called out but no one has appeared on behalf of the complainant. One last and more opportunity is granted to the complainant to respond to the application for maintainability and further pursue the matter.

Matter to come up on **20.09.2023** for further proceedings.

Ashok Sangwan
Member
12.07.2023