



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1108 OF 2021

Pankaj Singh Yadav

...COMPLAINANT.

Versus

M/s Raheja Developers limited

...RESPONDENT.

CORAM:

**Dr. Geeta Rathee Singh
Nadim Akhtar**

**Member
Member**

Date of hearing: 13.12.2022

Hearing: 3rd

Present: - Mr. Sita Ram Barvaria. Ld. counsel for the complainant
Mr. Kamaljeet Dahiya, Learned counsel for respondent

ORDER: (NADIM AKHTAR-MEMBER)

1. Ld. Counsel for the complainant filed application dated 05.09.2022 for rectification of order dated 01.04.2022 passed in this present complaint. Grounds raised are as follows:

A. That the complainant in their complaint in para 4(e) has shown total amount paid to respondent as Rs. 53,71,108/- which was also depicted

in their books of accounts and was also acknowledged and confirmed by the Respondent's.

- B. That due to oversight and misconception, the complainant has shown and provided the details of payment made to the respondent in para 4(f) amounting to Rs. 53,19,671/- leaving aside the amount paid as TDS and VAT to the concerned departments directly on behalf of the respondent.
- C. That the Authority vide their orders dated 01.04.2022, para 8 has ordered refund of the amount paid by the complainant along with interest in accordance with Rule 15 of the HRERA Rules, 2017 amounting to Rs. 53,19,671/- as amount paid and Rs. 39,03,275/- as the interest, thus totaling to Rs. 92,22,946/-.
- D. That, therefore, keeping in view of the facts, rectification order may please be passed by allowing the payments made by the complainant on account of TDS and VAT payments to the concerned departments on behalf of the respondent amounting to Rs. 47,126/- which has been shown 'as received payments from the complainants' in the books of accounts of the respondent and respondent be directed to make the above said payment to the complainant with further interest till final disposal of the present application.



2. Ld. counsel for the respondent appeared in person and submitted that they have not received the copy of present application and sought time to file reply to the application..

3. Adjourned to 15.02.2023, with a direction to the complainant to supply a copy of the application to the respondent. Respondent is directed to file reply to the said application within four weeks.

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DR. GEETA RATHEE SINGH
[MEMBER]

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NADIM AKHTAR
[MEMBER]