



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1124 OF 2021

Hemwant Silswal

....COMPLAINANT

VERSUS

RPS Infrastructure Ltd.

.....RESPONDENT

CORAM: Nadim Akhtar

Member

Chander Shekhar

Member

Date of Hearing: 03.02.2025

Hearing: 14th

Present: - Adv. Gopal Singh, counsel for the complainant through VC.

Adv. Garvit Gupta, counsel for respondent through VC

Mr. Rohit Mittal Advocate, counsel for M/s Wonder Infracon Pvt.

Ltd.

ORDER (NADIM AKHTAR-MEMBER)

1. Vide last order dated 21.10.2024, Authority had passed following directions:

- a. *M/s Wonder Infracon Pvt. Ltd. is ordered to submit documents that prove any relationship between the complainant and M/s Wonder Infracon Pvt. Ltd. Additionally; they must provide evidence that an agreement was executed with the complainant on 10.05.2016.*
- b. *The complainant is directed to file an application clarifying the specific relief sought and to submit documentation showing how and by whom the full consideration amount for the unit in question was paid?*
- c. *Authority further directs that all documents must be submitted at least four weeks prior to the next hearing date.*

2. Today. Advocate Gopal Singh appeared on behalf of the complainant and stated that M/s Wonder Infracon Pvt. Ltd. has failed to comply with the Authority's previous directions. Referring to direction no. (b) of the last order, he clarified that the complainant has already provided required details in Annexure A-3, (at page 60 of the complaint), demonstrating how the amount was disbursed for the unit in question. He further stated that a sum of ₹55 lakhs was disbursed as a single installment to the respondent by ICICI Bank, and three additional receipts totalling ₹11,96,000/- have been annexed in the complaint book, thereby proving that a total amount of ₹66,96,000/- was paid to the respondent.

3. After hearing the submissions of the learned counsel for the complainant, Authority inquired whether the bank loan account has been settled/cleared.



In response, ld.complainant's counsel stated that the respondent has not cleared the account till date, and the amount remains unpaid to the bank. He further explained that the respondent was responsible for making the balance payments of loan account; however, when the complainant approached the respondent in this regard, the request of complainant was ignored by the respondent.

4. Advocate Garvit Gupta appeared on behalf of the respondent and stated that the respondent was unaware of the transactions between the complainant and M/s Wonder Infracon Pvt. Ltd. He once again drew the Authority's attention to the specific reliefs sought by the complainant. Regarding relief No. 1, in which the complainant seeks refund of ₹66,96,000/-, he pointed out that, as per the Authority's order dated 05.07.2022, the respondent was directed to pay delay charges for the delayed possession. He emphasized that both delayed possession charges and refund cannot be granted simultaneously. Hence complainant's relief request requires clarification. Learned counsel for respondent further requested time to verify and clarify the status of the bank account and whether the loan amount has been cleared by the respondent.
5. Today, Learned Counsel Rohit Mittal appeared on behalf of M/s Wonder Infracon Pvt. Ltd. and requested additional time to comply with the



Authority's previous directions. He cited the company's recent office relocation as the reason for the delay in filing the required documents.

6. In view of above discussions, Authority directs as follows:

- a. Authority grants last opportunity to M/s Wonder Infracon Pvt. Ltd. to submit documents that prove any relationship between the complainant and M/s Wonder Infracon Pvt. Ltd. Additionally; they must provide evidence that an agreement was executed with the complainant on 07.03.2018.
- b. The respondent is directed to submit documents detailing the amount paid to the bank towards settling the account. Additionally, the respondent must specify the outstanding balance, if any, required to fully clear the complainant's account.
- c. Complainant is directed to file an application clearly specifying the relief sought.
- d. Authority further directs that all documents must be submitted at least four weeks prior to the next date of hearing.

7. Case is adjourned to 07.04.2025.


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CHANDER SHEKHAR
[MEMBER]


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NADIM AKHTAR
[MEMBER]