



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1136 OF 2021

Rodeo Drive Welfare Association

....COMPLAINANT

VERSUS

1. TDI Infrastructure Limited.

....RESPONDENT(S)

2. Cannes Property management Services Pvt. Ltd.

CORAM:

Dr. Geeta Rathee Singh

Member

Nadim Akhtar

Member

Date of Hearing: 26.04.2023

Hearing: 14th

Present: -

Mr. Tarjit Singh Chikara, Counsel for complainant
through vc.

Mr. Shubhnit Hans, Counsel for respondent.

ORDER (DR. GEETA SINGH RATHEE- MEMBER)

1. Vide order dated 07.02.2023 complainant association was directed to conduct a meeting of the members of the association to formulate a plan to hand possession of the common facilities to the recognised association of allottees of the project. A report in this regard was to be filed by both parties but the same have not been filed.

Geeta Rathee

2. Mr. Tarjit Singh Chikara, learned counsel for the complainant submitted that vide last order respondent was directed to provide the complainant-association a list containing names, addresses, E-mail Ids, if available, and phone numbers of all the allottees of the project by 15.02.2023 to enable the complainant-association to contact all the allottees of the project and request them to come forward to become a member of the association. Despite explicit directions respondent deliberately did not provide the requisite information to the complainant-association because of which the meeting could not take place. Rather respondent has been continuously harassing the members of the complainant-association on ground that it is not a proper association. Respondent has not shied away from using physical force at site and has even cut the electricity connection provided to the registered office of the association. The promoter had received occupation certificate in the year 2019 however, respondent has failed to take initiative to form a proper association of allottees at site of the project.
3. Learned counsel for the complainant drew attention of the Authority to para 4 of the order dated 01.06.2022 wherein it has clearly been observed that complainant is a registered association which was duly registered by District Registrar, Department of Industries and Commerce, Haryana on 25.11.2020 as per Annexure C-11. Respondent



is raising frivolous grounds and is merely engaging in delay tactics to delay handing over of possession of project to the association. He prayed that strict action be taken against respondent promoter on account of non compliance of order of Authority.

4. On the other hand, Mr. Shubhnit Hans, learned counsel for the respondent submitted that the learned counsel for the complainant is presenting a reverse picture. As per the direction of the Authority, a meeting of the association was in fact conducted on 25.02.2023, however the same was not fruitful as there was a huge fight at the premises between the members of the association themselves as there is no proper association or order of conduct. Respondent is ready to provide the details but only to the registered association. Learned counsel for the respondent submitted that the court may call upon the office bearers of the RWA in Court and upon verification respondent will handover the list to them.

5. After hearing both parties, Authority observes that in order to properly adjudicate the issue it is important ^{to} first peruse the list of members of the association and list of the allottees of the project. Upon examining both the lists, Authority will, thereafter verify the respective claims of both parties and decide thereafter. Both parties are directed to file their respective list of member/allottees within three weeks in the office of the Authority.

6. Case is adjourned to 27.07.2023.

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NADIM AKHTAR
[MEMBER]

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DR. GEETA RATHEE SINGH
[MEMBER]

