



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1168 OF 2020

MOHIT KIRPAL

....COMPLAINANTS

VERSUS

M/s ANSAL CROWN INFRABUILD PVT. LTD.

....RESPONDENT

**CORAM: Rajan Gupta
Dilbag Singh Sihag**

**Chairman
Member**

Date of Hearing: 07.07.2022

Hearing: 5th

Present through video call: - Sh. Yogesh Goyal, Learned counsel for the complainant

Sh. Ajay Ghangas, learned counsel for the respondent

ORDER (DILBAG SINGH SIHAG- MEMBER)

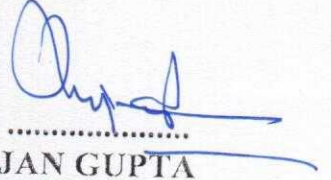
1. While initiating his arguments, learned counsel for the complainant submitted that he booked a shop/unit in a project named 'Ansal Highway Plaza, Sonipat' being developed by the respondent-promoter. Allotment letter was executed between the parties on 13.01.2005, for a shop bearing no. 115 situated on the Ground Floor, admeasuring 527 sq.ft. Later on, respondent has changed the shop from GF-115 to Shop No. 127 C. Accordingly; a new Allotment letter was executed between parties on 26.03.2010. Complainant had paid Rs. 23,05,764.86/- till February 2013 against basic sale price of Rs. 23,02,800/- to the respondent. Respondent was required to hand over possession of the booked unit within 33 months from date of booking of unit that comes to 27.12.2012. The period for delivery of possession had already been expired but he did not get offer of possession or refund of paid amount.

Today, learned counsel for the complainant apprised the Authority that complainant has paid full payment of the shop in question in the year of 2012 itself. To support his contention of amount paid, he referred to Annexure P-5, annexed with complaint book, which clearly shows that complainant has paid an amount of ₹ 23,05,764.86/- to the respondent-promoter. Even after receiving full payment from complainant, respondent has failed to deliver possession of booked unit to the complainant till date. He further alleged that the project is still incomplete even after twelve years have gone by the date of execution of

allotment letter. There is no possibility that it will be completed in near future. Therefore he has approached this Authority seeking relief refund of paid amount already deposited along with permissible interest and compensation. Besides, complainant has requested this Authority to transfer this case to Adjudicating Officer after disposal.

2. On the other hand, learned counsel for the respondent sought time to file reply and argue this matter on merits.
3. After going through records, it is observed that complainant has paid to the respondent an amount of ₹ 23,05,764.86/- and statement of accounts issued by the respondent of each payment made is annexed as Annexure P-5 of the complainant book, therefore complainant has already paid full amount to the respondent . Respondent despite having received full amount, has failed to deliver possession to the complainant till date. Complainant neither mentioned any fact nor placed on record any documents showing the current stage of the project in question.
4. On request of learned counsel for respondent, case is adjourned to **22.09.2022** while granting last opportunity to the respondent to file reply and supply its advance copy to complainant, failing which Authority will decide this matter on the basis of available facts. Further complainant is also directed to file current status of the project to ascertain whether project can be completed or not in foreseeable future. Authority will dispose of the case on next date of hearing

by taking into consideration the oral arguments if any and written submissions available in the records. No further opportunity will be granted.



RAJAN GUPTA
[CHAIRMAN]



DILBAG SINGH SIHAG
[MEMBER]

