



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 856 OF 2020

Dr. Viney Kumar

....COMPLAINANT(S)

VERSUS

M/s Parsvnath Developers Ltd.

....RESPONDENT(S)

2. COMPLAINT NO. 857 OF 2020

Davender Singh

....COMPLAINANT(S)

VERSUS

M/s Parsvnath Developers Ltd.

....RESPONDENT(S)

3. COMPLAINT NO. 1006 OF 2020

Kiran

....COMPLAINANT(S)

VERSUS

M/s Parsvnath Developers Ltd.

....RESPONDENT(S)

4. COMPLAINT NO. 1009 OF 2020

Naveen

....COMPLAINANT(S)

VERSUS

M/s Parsvnath Developers Ltd.

....RESPONDENT(S)

5. COMPLAINT NO. 1043 OF 2020

Jyoti Phogat through POA Udai Singh PhogatCOMPLAINANT(S)

VERSUS

M/s Parsvnath Developers Ltd.RESPONDENT(S)

6. COMPLAINT NO. 1090 OF 2020

Surender SinghCOMPLAINANT(S)

VERSUS

M/s Parsvnath Developers Ltd.RESPONDENT(S)

7. COMPLAINT NO. 1170 OF 2020

Sanjay Singh SehrawatCOMPLAINANT(S)

VERSUS

M/s Parsvnath Developers Ltd.RESPONDENT(S)

8. COMPLAINT NO. 1259 OF 2020

Hari OmCOMPLAINANT(S)

VERSUS

Parsvnath Developers Ltd.RESPONDENT(S)

CORAM:

**Rajan Gupta
Anil Kumar Panwar
Dilbag Singh Sihag**

**Chairman
Member
Member**



Date of Hearing: 17.08.2021

Hearing: 5th (in complaint nos. 856, 857, 1006, 1009, 1043, 1090 of 2020)

4th (in complaint nos. 1170, 1259 of 2020)

Present: - Mr. Sushil Malhotra, learned counsel for the complainants through video conference

Ms. Rupali S. Verma, learned counsel for the respondent through video conference

ORDER (RAJAN GUPTA - CHAIRMAN)

1. Captioned complaints are taken up together as grievances involved are similar and are directed against the same project of the respondent. Both parties agree that factual matrix and documents will be discussed on the basis record of complaint case no. 1043 of 2020 titled Jyoti Phogat through POA Udai Singh Phogat versus M/s Parsvnath Developers Ltd. which is treated as lead case and arguments addressed in this case will be adopted in all the other captioned complaints.

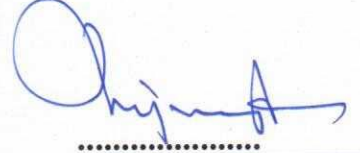
2. Learned counsel for the complainants states that he had not received copy of replies in some of the complaints. He is directed to collect the same from the registry. He further states that he has filed rejoinder in complaint no. 1043 of 2020 on 16.08.2021 via email. Authority observes that

counsel for the complainant has not taken care to file his pleadings as per the regulations of the Act and had rather filed rejoinder via email. Filing of pleadings via email is not proper filing, therefore, Authority disregards said rejoinder and proceeds to hear the arguments on the basis of documents already on record.

3. Learned counsel for the complainants argues that complainant Jyoti Phogat is deriving her rights through Ms. Rajwanti & Sunita Devi who had booked a plot measuring 359 sq. yards in respondent's project named 'Parsvnath City, Rohtak'. The respondent had endorsed the transfer of booking rights in favour of the complainant on 19.05.2012. As per plot buyer agreement executed between Ms. Rajwanti & Sunita Devi and the respondent on 14.06.2012, the respondent was under an obligation to hand over the possession of the plot within 24 months from the execution of the agreement i.e. by June 2014 but has offered possession of some other plot on 30.06.2020 with unjustified demands and without any interest for delay caused in offering the possession.

4. At this stage, learned counsel for the complainants was posed a query that if the endorsement in favor of the complainant was made on 19.05.2012 then why the plot buyer agreement which was executed subsequent to endorsement i.e. on 14.06.2012 was executed by respondent with original buyers. Counsel for the complainant could not give any justification for the same.

5. Cases are adjourned to **19.10.2021** with a direction to both the parties to submit all relevant documents along with written arguments and supply its copy to each other atleast one week before the next date of hearing. Respondent shall also pay the Authority earlier imposed cost of ₹10,000/- in each case except in complaint nos. 1170 of 2020 and 1259 of 2020 on or before the next date of hearing.



RAJAN GUPTA
[CHAIRMAN]



ANIL KUMAR PANWAR
[MEMBER]



DILBAG SINGH SIHAG
[MEMBER]

