



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in
COMPLAINT NO. 1205 OF 2020

....COMPLAINANT(S)

Anil Kumar & Anr.

VERSUS

....RESPONDENT(S)

M/s Mapsko Builders Pvt. Ltd. (R-1)
M/s Jai Krishna Hi-Tech Infrastructure Pvt. Ltd. (R-2)

CORAM:

Rajan Gupta
Dilbag Singh Sihag

Chairman
Member

Date of Hearing: 01.09.2021

Hearing: 5th

Present: - Sh. Pradeep Kumar, Counsel for the complainant through video conferencing.

Sh. Akshat Mittal, Counsel for the respondent no.1

None for respondent no. 2

ORDER (DILBAG SINGH SIHAG – MEMBER)

1. Complainant had purchased a residential plot bearing no. MG-076 over with an area of 208 Sq. Yds. in the real estate project namely 'Mapsko Garden Estate' situated in Sector-26, 26A & 27, Sonipat. Said plot was

allotted to the complainants with a right to use the common areas and facilities including all easementary rights and on the terms and conditions as contained in the builder buyer agreement dated 26.12.2017. Further, a deed of conveyance has been executed by respondent no. 1 in favour of complainants on 05.07.2018. Accordingly, physical possession of the plot was handed over to the complainants on 13.07.2018.

2. However, complainants are aggrieved against non-construction of 24 mts. wide road situated on south side of the plot. Complainant had purchased the plot, getting access from 24 meters road.

3. On the last date of hearing, both parties were directed to place documents showing facts establishing the responsibility for construction of this 24-meter road. Complainant was further directed to place any document before the Authority to demonstrate that he was given the understanding that his plot would be located on 24-meter road and he could get access to his plot from this road.

4. Today, ld. counsel for the respondent no. 1 placed a copy of layout plan before the Authority which clearly shows that part of 24-metre road has to be developed jointly by respondent no. 1 & 2. He stated that share of road in question which had to be constructed by them has already been constructed at site. He has placed few photographs before the Authority in this regard. Remaining share of the said 24-metre road has to be constructed by respondent no.2.



On the other hand, ld. counsel for the complainant failed to produce any document before the Authority which proves that his plot is getting access from 24-metre road.

5. Taking note of the above facts, Authority observes that since respondent no. 1 has fulfilled his obligation towards construction of road in question within his colony. Hence, Authority inclines to discharge respondent no. 1 from his obligation casted vide this complaint. A fresh notice be sent to respondent no. 2 for submitting reply in the matter. Complainant is also directed to place on record any relevant documents which proves his allegation of non-discharge of promoter obligation.

6. With these directions, case is adjourned to 11.11.2021.



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RAJAN GUPTA
[CHAIRMAN]



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DILBAG SINGH SIHAG
[MEMBER]