



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1205 OF 2020

Anil Kumar

....COMPLAINANT

VERSUS

M/s Mapsko Builders Pvt. Ltd .

.....RESPONDENT

& M/s Jai Krishna Hi-Tech Infrastructure Pvt. Ltd.

**CORAM: Anil Kumar Panwar
Dilbag Singh Sihag**

**Member
Member**

Date of Hearing: 11.11.2021

Hearing: 5th

**Present: - Mr. Pradeep Kumar, Proxy Counsel for the complainant through
VC.**

Mr. Akshat Mittal , Ld. Counsel for the respondent no.1 through
VC.

None for respondent no.2.

ORDER (DILBAG SINGH SIHAG-MEMBER)

1. Learned counsel for the complainant stated that respondent no.1 has been wrongly discharged from his liability regarding construction of 24 mts. wide road on south side of his plot vide order dated 01.09.2021. He further stated that respondent no. 1 is the promoter/ developer of the project and he has executed the conveyance deeds of the plot on behalf of associated

landowning companies including respondent no.2., therefore, he cannot escape from his liability to deliver the plot with infrastructure as shown and promised to him in the brochure which includes construction/development of the aforesaid road.

2. Whereas learned counsel for respondent no. 1 submitted that issue regarding construction of 24 mts. wide road has already been argued at length and his liability was accepted as discharged vide order dated 01.09.2021 as he has already constructed part of the road pertaining to his part of the project and since remaining part of the road falls in project being developed by respondent no.2. Thus, liability to construct the said road cannot be pinned on him now.

3. In the present case, complainant is aggrieved from the fact that both the promoters have failed to construct 24 mts. wide road shown to be aligned in south of his plot in the project plan. Admittedly, respondent no. 1, is the promoter respondent who is liable to deliver unit to the complainant after completion in all respects including supporting infrastructure as promised to him including construction/development of roads. So, respondent no.1 cannot be discharged from his liability to construct said 24 mts. road absolutely till stand of respondent no. 2 has been heard on the issue and matter gets decided.

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4. On the last date of hearing, office was directed to issue notice to respondent no. 2. Same has not been sent till date. Office is directed to issue a fresh notice to respondent no.2 to file his reply at least a week before next date of hearing with an advance copy to the complainant.

5. Respondent no. 1 is also directed to place on record all correspondences made with respondent no.2 regarding construction of aforesaid 24 mts. wide road with an advance copy to the complainants at least a week before the next date of hearing.

6. Vide order dated 01.09.2021, complainant was also directed to place on record relevant documents including brochure of the promoter demonstrating that he was given an the understanding that his plot would be located on 24 mts. wide road vide order dated 01.09.2021. No such document has been filed by the complainant till date. He shall file aforesaid said documents at least a week before the next date of hearing with an advance copy to the complainant. Adjourned to 14.12.2021.


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ANIL KUMAR PANWAR
[MEMBER]


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DILBAG SINGH SIHAG
[MEMBER]