



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. SUO MOTU COMPLAINT NO. 1211/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1. Ritu Sareen

2. BPTP Ltd

....RESPONDENT(S)

2. SUO MOTU COMPLAINT NO. 1266/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1. Akshita Sharma

2. BPTP Ltd

....RESPONDENT(S)

3. SUO MOTU COMPLAINT NO. 1267/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1. Shalini Gupta

2. BPTP Ltd

....RESPONDENT(S)

4. SUO MOTU COMPLAINT NO. 1268/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Babita Kaushik

2. BPTP Ltd

....RESPONDENT(S)

5. SUO MOTU COMPLAINT NO. 1270/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Kamal Jain

2. BPTP Ltd

....RESPONDENT(S)

6. SUO MOTU COMPLAINT NO. 1271/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Yojna Khotar

2. BPTP Ltd

....RESPONDENT(S)

7. SUO MOTU COMPLAINT NO. 1272/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS



1.Pawan Kumar

2. BPTP Ltd

....RESPONDENT(S)

8. SUO MOTU COMPLAINT NO. 1273/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Antony Vargese

2. BPTP Ltd

....RESPONDENT(S)

9. SUO MOTU COMPLAINT NO. 1275/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Madhu Sareen

2. BPTP Ltd

....RESPONDENT(S)

10. SUO MOTU COMPLAINT NO. 1276/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Raj Ratti

2. BPTP Ltd

....RESPONDENT(S)

11.SUO MOTU COMPLAINT NO. 1278/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS



1.Puran Sharma

2. BPTP Ltd

....RESPONDENT(S)

12.SUO MOTU COMPLAINT NO. 1279/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Neera R Pathak

2. BPTP Ltd

....RESPONDENT(S)

13.SUO MOTU COMPLAINT NO. 1280/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Jai Prakash Gupta

2. BPTP Ltd

....RESPONDENT(S)

14.SUO MOTU COMPLAINT NO. 1281/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.D K Vijn

2. BPTP Ltd

....RESPONDENT(S)

15.SUO MOTU COMPLAINT NO. 1282/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Meenakshi Kwatra

2. BPTP Ltd

....RESPONDENT(S)

16.SUO MOTU COMPLAINT NO. 1283/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.SachinWadhwa

2. BPTP Ltd

....RESPONDENT(S)

17.SUO MOTU COMPLAINT NO. 1284/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Arup Kumar Banerjee

2. BPTP Ltd

....RESPONDENT(S)

18.SUO MOTU COMPLAINT NO. 1285/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Nikhil Malhotra

2. BPTP Ltd

....RESPONDENT(S)

19.SUO MOTU COMPLAINT NO. 1286/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Yogesh

2. BPTP Ltd

....RESPONDENT(S)

20.SUO MOTU COMPLAINT NO. 1287/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1. RajdeepKaur

2. BPTP Ltd

....RESPONDENT(S)

21.SUO MOTU COMPLAINT NO. 1289/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Manish Sharma

2. BPTP Ltd

....RESPONDENT(S)

22.SUO MOTU COMPLAINT NO. 1290/2020

HRERA Panchkula

....COMPLAINANT(S)

VERSUS

1.Priyadarshi Kumar

2. BPTP Ltd

....RESPONDENT(S)

23.SUO MOTU COMPLAINT NO. 1291/2020

HRERA Panchkula

....COMPLAINANT(S)



VERSUS

1. Sanjiv Mehrotra

2. BPTP Ltd

....RESPONDENT(S)

CORAM: Nadim Akhtar

Member

Chander Shekhar

Member

Date of Hearing: 19.05.2025

Hearing: 11th

Present: None for respondent no. 1 (in all cases).

Mr. Hemant Saini, Counsel for respondent no. 2 (in all cases).

ORDER: (NADIM AKHTAR-MEMBER)

1. Relevant part of last order dated 20.01.2025 is reproduced below

1. *Relevant part of last order dated 08.07.2024 is reproduced below:*
2. *Captioned suomotu complaints have been filed against the respondents to refund the pre-deposit of amount deposited by respondent no. 2 in terms of order passed by Hon'ble Appellate Tribunal. Details of cases are as follows:-*

Sr. No	Suomoto complaint no.	Appeal No.	Pre-deposit Amount (₹)	Order dated in appeal	Relevant part of order
1.	1275-2020	42 of 2019	2,66,637/-	27.08.2019	The amount,



2.	1276-2020	26 of 2019	1,84,593/-	27.08.2019	if any deposited by the appellant/promoter (BPTP Ltd) with this Tribunal be transferred to the account of learned Real Estate Regulatory Authority, Panchkula
3.	1278-2020	49 of 2019	1,89,695/-	27.08.2019	
4.	1273-2020	57 of 2019	2,40,521/-	29.08.2019	
5.	1268-2020	56 of 2019	90,000/-	29.08.2019	
6.	1271-2020	59 of 2019	90,000/-	29.08.2019	
7.	1272-2020	40 of 2019	2,63,474/-	27.08.2019	
8.	1290-2020	55 of 2019	1,87,599/-	29.08.2019	
9.	1267-2020	53 of 2019	90,000/-	29.08.2019	
10	1266-2020	51 of 2019	90,000/-	29.08.2019	
11.	1211-2020	44 of 2019	2,55,770/-	27.08.2019	
12	1282-2020	50 of 2019	1,82,029/-	29.08.2019	
13	1283-2020	47 of 2019	2,67,094/-	27.08.2019	
14	1284-2020	29 of 2019	1,88,017/-	27.08.2019	
15	1285-2020	41 of 2019	2,25,868/-	27.08.2019	
16	1279-2020	28 of 2019	2,28,076/-	27.08.2019	
17	1280-2020	43 of 2019	1,88,641/-	27.08.2019	
18	1281-2020	27 of 2019	1,75,891/-	27.08.2019	
19	1291-2020	46 of 2019	2,02,274/-	27.08.2019	
20	1270-2020	58 of 2019	90,000/-	29.08.2019	
21	1289-2020	48 of 2019	1,96,406/-	27.08.2019	
22	1287-2020	39 of 2019	2,34,901/-	27.08.2019	



23	1286-2020	54 of 2019	2,89,258/-	29.08.2019	
----	-----------	------------	------------	------------	--

3. On perusal of order of the Hon'ble Appellate Tribunal, it was observed that in said order it is not clear as to whom the said amount deserves to be returned/disbursed. Relevant part of order passed by Hon'ble Real Estate Appellate Tribunal is reproduced below for reference:-

'The amount, if any, deposited by the appellant/promoter with this Tribunal be transferred to the account of learned Real Estate Regulatory Authority, Panchkula.'

Authority is duty bound to comply with the orders of the Hon'ble Appellate Tribunal without any amendment. Since the order is not clear for the reasons stated above, party which intends to claim the amount of pre-deposit is directed to seek modification of the order passed in appeal. Meanwhile, case is adjourned sine die. However, party is at liberty to approach the Authority after getting the modified order."
4. Mr. Hemant Saini, learned counsel for the respondent no.2 had previously sought time to get the necessary modification in the order passed by Hon'ble Appellate in related appeal(s). Since, modification in the order was necessary, his request was allowed.
5. Today, Adv. Himanshu Monga has put in appearance on behalf of arguing counsel Ad. Hemant Saini, and again sought time to get the modified order from the Hon'ble Appellate Tribunal stating that respondent no. 2 had already filed applications in respective



appeal(s) for necessary modification of the order and appeals are now listed for hearing before Tribunal for 29.07.2024."

6. *Today, Adv. Himanshu Monga put in appearance on behalf of arguing counsel Ad. Hemant Saini, and again sought time to get the modified order from the Hon'ble Appellate Tribunal stating that respondent no. 2 had already filed applications in respective appeal(s) for necessary modification of the order and appeals are now listed for hearing before Tribunal for 27.03.2025.*

2. Learned counsel for respondent no. 2 appeared in all the captioned complaints and submitted that an order has been passed by the Hon'ble Appellate Tribunal on 28.04.2025, wherein respondent no. 2 has been directed to refund the amounts to the allottees (respondents no. 1) in the captioned matters. He further submitted that respondent no. 2 is obligated to refund the amount only in Suo Motu Complaint No(s). 1211, 1267, 1271, 1272, 1275, 1276, 1280, 1282, 1283, 1284, 1286, 1289, 1290, and 1291 of 2020. In all other complaints, it was submitted that the matters have already been settled between the parties and respondent no. 2 is not liable to refund any amount to the allottee. He submitted that in this regard he is seeking modification of orders of Hon'ble Appellate Tribunal and will submit modifies/revised orders.
3. However, upon perusal of the order passed by the Hon'ble Appellate Tribunal, it is not clearly discernible in which specific complaints the refund



is to be made to respondent no. 2. Accordingly, learned counsel for respondent no. 2 sought some time to file an affidavit providing clarity on the complaints in which the refund will be effected. His request is accepted.

4. Learned counsel for respondent no. 2 is directed to file an affidavit within three days from today, clearly stating the complaint numbers in which the refund is to be made to the respondent no. 1, so that the matter can be finally disposed of on the next date of hearing.
5. Cases are adjourned to 26.05.2025.


CHANDER SHEKHAR
[MEMBER]


NADIM AKHTAR
[MEMBER]