



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 1378 OF 2020

Pramod Kumar Maheshwari

....COMPLAINANT(S)

VERSUS

Emerald Home Developers Pvt. Ltd.

....RESPONDENT(S)

2. COMPLAINT NO. 1379 OF 2020

Mal Chand Jajoo and Sunit Jajoo

....COMPLAINANT(S)

VERSUS

Emerald Home Developers Pvt. Ltd.

....RESPONDENT(S)

3. COMPLAINT NO. 1383 OF 2020

Babita Maheshwari

....COMPLAINANT(S)

VERSUS

Emerald Home Developers Pvt. Ltd.

....RESPONDENT(S)

4. COMPLAINT NO. 1387 OF 2020

Chesta Maheshwari

....COMPLAINANT(S)

VERSUS

Emerald Home Developers Pvt. Ltd.

....RESPONDENT(S)

5. COMPLAINT NO. 1472 OF 2020

Kapil Maheshwari and Soniya Maheshwari

....COMPLAINANT(S)

VERSUS

Emerald Home Developers Pvt. Ltd.

....RESPONDENT(S)

6. COMPLAINT NO. 1473 OF 2020

Pramod Kumar Maheshwari

....COMPLAINANT(S)

VERSUS

Emerald Home Developers Pvt. Ltd.

....RESPONDENT(S)

7. COMPLAINT NO. 1476 OF 2020

Meena Maheshwari

....COMPLAINANT(S)

VERSUS

Emerald Home Developers Pvt. Ltd.

....RESPONDENT(S)

8. COMPLAINT NO. 1477 OF 2020

Rahul Verma and Soniya Verma

....COMPLAINANT(S)

VERSUS

Emerald Home Developers Pvt. Ltd.

....RESPONDENT(S)



CORAM: Nadim Akhtar

Chander Shekhar

Member

Member

Date of Hearing: 27.05.2024

Hearing: 11th (in all complaints)

Present: - Adv. Manav Bajaj, counsel for complainants.

Adv. Neeraj Goel and Adv. Tarun Ranga, counsels for respondent.

ORDER (NADIM AKHTAR - MEMBER)

1. Relevant part of last order dated 15.01.2024 passed by the Authority is as under:

2. *Relevant part of last order dated 02.11.2023 is reproduced below:*

"4. Further, Id. counsel for respondent stated that complainant also approached the Hon'ble National Company Law Tribunal, New Delhi wherein same relief as before this Hon'ble Authority, has been sought by them. The complainants have also not disclosed the pendency of present proceedings before Hon'ble NCLT. The pendency of aforesaid petition attracts the principle of double jeopardy and on the basis of the same the present complaint is liable to be dismissed with cost.

5. After hearing both the parties, Authority observed that complainants cannot pursue the same relief before two Forums. Therefore, Authority directs the complainants to submit the status with respect to NCLT proceedings. Authority also directs the Id. counsel for complainants to withdraw the petitions instituted before Hon'ble NCLT in



order to proceed the matters for further proceedings before this Authority, otherwise present complaints will be liable to be dismissed."

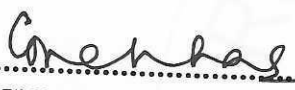
3. *Complainants seek some more time to withdraw the cases pending before Hon'ble NCLT, New Delhi. Request is accepted.*
4. *Authority grants last opportunity to complainants to withdraw the petitions instituted before Hon'ble NCLT and submit the proof of the same in the registry before next date of hearing. In case, complainants fail to comply with the said directions, complaints will be dismissed on next date of hearing."*
2. Today, Adv. Manav Bajaj appeared on behalf of the complainants and submitted that complaints pending before the Hon'ble NCLT had already been withdrawn by the complainants. He further sought some time to submit the proof of withdrawal of the complaints in the registry. His request is accepted. A copy of same is supplied to the Id. counsel for the respondent in the Court itself.
3. Authority directs learned counsel for complainants to submit proof of withdrawal of complaints before the Hon'ble NCLT in the registry atleast two weeks before the next date of hearing.
4. In addition, perusal of files revealed that complainants have not placed on record complete receipts issued by the respondent of their paid amount.
5. Complainants are directed to file copies of all the receipts of payments made to the respondent in all above mentioned complaints, in the registry. In case, there are no receipts, then complainants have to file an affidavit stating



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therein the exact amounts and dates on which the said amounts were paid by the complainants to the respondent duly supported with bank statement of account highlighting the dates of payments. Complainants are further directed to submit required documents with an advance copy supplied to the opposite party at least two weeks prior to the next date of hearing.

6. All the captioned cases are adjourned to 16.09.2024 for arguments.


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CHANDER SHEKHAR
[MEMBER]


.....
NADIM AKHTAR
[MEMBER]