



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1591 OF 2019

Rachita Bansal

.....COMPLAINANT

Versus

1. M/s Pardesi Developers & Infrastructure Pvt. Ltd
2. CM Developers and Infrastructures Pvt. Ltd.

.....RESPONDENTS

CORAM: Dr. Geeta Rathee Singh
Chander Shekhar

Member
Member

Hearing: 17th

Date of Hearing: 15.10.2024

Present: - Adv. Vikas Deep, counsel for complainant through VC.
Adv. Shubhnit Hans, counsel for respondent no. 1.
None for respondent no. 2.

ORDER :

1. On the last date of hearing, i.e. on 13.08.2024, Authority had granted one last opportunity to settle the matter. However, ld. counsel for complainant had submitted before the Authority that he has received no offer for settlement from respondent. Further, Adv. Shubhnit Hans had appeared on behalf of respondent no.1 and submitted that there is change of counsel

Geeta Rathee

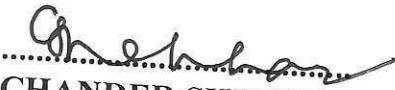
for respondent no.1, therefore he prayed for one last opportunity to abide by the previous orders and to argue the matter if there are no chances of settlement.

2. Today, ld. counsel for respondent no.1 submitted that no settlement has been arrived at between the parties and argued that the receipts annexed with the complaint are issued by respondent no.2 and not respondent no.1, therefore how respondent no.2 can settle the said matter when it has not even received any payment from complainant / allottee. Further, he submitted that the project that had been taken over by respondent no.1 was from CMD Build-tech and not CM Developers and Infrastructure Pvt. Ltd. therefore, the unit of complainant is not with them. Besides this, they received license from CMD Build-tech and not CM Developers and Infrastructure Pvt. Ltd., therefore they are not liable for any act done by and Infrastructure Pvt. Ltd.
3. Authority observes that initially complaint was filed against CM Developers and Infrastructure Pvt. Ltd. and subsequently an application was filed on 07.11.2019 by complainant for substitution of respondent company, CM Developers and Infrastructure Pvt. Ltd. with M/s Pardesi Developers and Infrastructure Pvt. Ltd. Said application was allowed and same is reflected in order dated 07.11.2019. Thereafter notice was sent and same was delivered upon respondent company, M/s Pardesi Developers and Infrastructure Pvt. Ltd. thereafter, Adv. Shobit Phutela



appeared on behalf of said respondent company. Further, an application was filed on 05.04.2023 requesting that CM Developers and Infrastructure Pvt. Ltd. should be added as a party to the case as BBA was executed with said company, therefore it is a necessary party to the case. Said request was allowed vide order dated 11.04.2023 and CM Developers and Infrastructure Pvt. Ltd. was added as a party to the case and made respondent no.2. Thereafter notice was sent to respondent no.2, however same was returned un-delivered with the report: "person shifted from given address". Due to such report, on the next date of hearing, i.e. on 26.07.2023, directions were issued to complainant to collect dasti and serve it upon respondent. However same has not been collected until today.

4. Authority again directs complainant to collect dasti before the next date of hearing. Authority also directs respondent no.1 to clarify which project has been taken over, also to mention the date of licenses issued in their name along-with their final written submissions. They are directed also to clarify whether the project in present complaint has been taken over by respondent no.1 company or not.
5. Case is adjourned to **04.02.2025** for arguments.


CHANDER SHEKHAR
[MEMBER]


DR. GEETA RATHEE SINGH
[MEMBER]