



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1639 OF 2023

Inderpal Singh

....COMPLAINANT

VERSUS

Parsvnath Developers Ltd

....RESPONDENT

CORAM: Parneet Singh Sachdev	Chairman
Nadim Akhtar	Member
Dr. Geeta Rathee Singh	Member
Chander Shekhar	Member

Date of Hearing: 25.04.2024

Hearing: 3rd

Present: Mr. Munish Gupta, counsel for complainant through VC.
Ms Rupali Verma, counsel for respondent through VC.

ORDER (NADIM AKHTAR-MEMBER)

1. When case was called upon none appeared on behalf of respondent, however later on Ms. Rupali Verma, marked her presence.
2. On perusal of complaint file and reply, it is observed by the Authority that in the captioned complaint a unit had been booked by original allottee, i.e, Mr. K.L Lamba in the project of the respondent namely; 'Parsvnath City, Sonipat' under 'Present and Future Scheme' in the year 2004. Thereafter, present

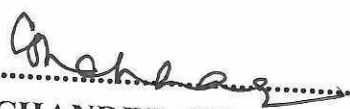
complainant had purchased the booking rights from Mr. K.L Lamba vide agreement dated 25.07.2005 and Mr. K.L Lamba vide affidavit dated 16.12.2005, transferred rights in favour of complainant. Complainant is seeking relief of refund from the respondent. As per reply, respondent did not acknowledge complainant as allottee as no agreement to sell has been executed between the complainant and respondent. Further, as per record of respondent only Mr.K.L Lamba had made payment of ₹7,40,000/- to the respondent. Complainant had never made payment towards unit, therefore, complainant is neither original allottee nor subsequent purchaser of the respondent.

3. In these circumstances, it is observed by the Authority that complainant in this case is a subsequent allottee seeking refund of amount paid to the respondent. Complainant derives his booking rights from one original allottee namely; Mr. K.L Lamba. Now the fact of the matter is that the respondent company does not have any document/data available in their record ascertaining that a booking had been transferred in favour of complainant to establish that complainant is an allottee of the project in question. In these circumstances it becomes important that Mr. K.L Lamba be made a party to the present complaint to ascertain whether any allotment is transferred by him in favour of the complainant. Therefore, complainant is directed to implead Mr. K.L Lamba as a party to the present complaint. Said application should be filed within two weeks with a copy supplied to the opposite party. Further,




Complaint no. 1639 of 2023
office is directed to issue notice to Mr. K.L Lamba, for appearing before the
Authority.

4. Case is adjourned to 22.08.2024.


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CHANDER SHEKHAR
[MEMBER]


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DR .GEETA RATHEE SINGH
[MEMBER]


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NADIM AKHTAR
[MEMBER]


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PARNEET SINGH SACHDEV
[CHAIRMAN]