



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1709 OF 2023

Bright Outdoor Media Pvt. Ltd.

....COMPLAINANT

VERSUS

T.G. Buildwell Pvt. Ltd and others.

....RESPONDENTS

CORAM:

Dr. Geeta Rathee Singh
Nadim Akhtar

Member
Member

Date of Hearing: 31.10.2023

Hearing: 1st

Present: - Sh. Surjeet Malhotra, counsel for complainant through VC

Sh. Akshat Mittal, counsel for respondent

ORDER (NADIM AKHTAR- MEMBER)

1. Sh. Akshat Mittal, appeared for respondent and sought some more time to file reply as he is engaged recently in the captioned matter.
2. Sh. Surjeet Malhotra, counsel for complainant while opposing the request made by respondent counsel stated that respondent was under an obligation to file reply by 13.09.2023. Even as per last order dated

26.09.2023, respondent was given another opportunity to file reply but respondent has miserably failed to do so till date. Now, counsel for respondent is making excuses to have some more time.

3. Learned counsel for respondent stated that on the last date of hearing there was strike for the reason that Local Bar Association has passed a resolution for suspension of work. So, technically it is the first hearing of the case. He also referred to an application filed on 27.10.2023 in the registry, whereby he requested the Authority to allow some more time for filing reply as there are certain documents which needs to be gathered to clarify the facts. However, said application was not on record as same was filed two days before the hearing.
4. On perusal of file, it has come to the knowledge of the Authority that complainant has not placed on record the payment proof of the paid amounts to the respondent. To clarify this query, Sh. Surjeet Malhotra, counsel for complainant stated that present complainant is a subsequent purchaser as the unit in question was purchased from M/s One up Trade Network Pvt. Ltd i.e the original allottee. He referred to page no. 26 and 27 of the complaint book, wherein builder buyer agreement executed on 05.05.2011, between M/s T.G. Buildwell Pvt. Ltd and M/s One up Trade Network Pvt. Ltd i.e. original allottee has been placed on record. Further he referred to builder buyer agreement executed on 14.11.2011 between



M/s One up Trade Network Pvt. Ltd i.e the original allottee and M/s Bright Outdoor Media Pvt. Ltd (present complainant) which is annexed at page no. 17 of the complaint book. Same has also been endorsed by the present respondent namely, "M/s T.G. Buildwell Pvt. Ltd.". Endorsement is annexed at page no. 47 of the complaint book. Further, vide letter dated 10.11.2011, annexed at page no. 25 of the complaint book, it is an admitted fact that amount of ₹ 52,08,366/- has been received by original allottee i.e. M/s One up Trade Network Pvt. Ltd from the present complainant. Counsel for complainant has also made statement that 10.11.2011 be taken as single date for payment made by complainant.

5. Respondent is directed to file reply within next four weeks and supply its advance copy to the complainant. Complainant is at liberty to file rejoinder, if any, in next two weeks with an advance copy supplied to the opposite party.
6. Case is adjourned to 06.02.2024.


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DR. GEETA RATHEE SINGH
[MEMBER]


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NADIM AKHTAR
[MEMBER]