



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 1773 of 2023

MP Gupta and others

...COMPLAINANT

VERSUS

M/S Ansal Landmark (Karnal) Township Pvt. Ltd.

(Sushant Royale, Sector-36, Karnal)

....RESPONDENT

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

Chairman
Member
Member
Member

Date of Hearing: 20.12.2023

Hearing: 1st

Present: - Adv.Necraj Gupta, counsel for the complainant, through VC.
Adv.Vineet Schgal, counsel for the respondents, through VC.

ORDER (DR.GEETA RATHEE SINGH - MEMBER)

1. Notice dated 06.12.2023 was successfully delivered to the respondent on 08.12.2023. Reply has not been filed till date. I.d. Counsel for the

respondent sought some more time to file reply. Accepting his request, it is directed that reply be filed within 4 weeks with an advance copy supplied to the opposite party.

2. From perusal of the file it is revealed that 26 allottees/complainants have filed the present complaint seeking different reliefs. Whereas, few of the reliefs sought are relief in rem and others are relief in personam for which individual BBA have to be considered before adjudication of the matter. Thus, present complaint isn't maintainable in the present form.
3. Further, from perusal of the facts in the complaint depict that joint cause of actions should not be raised; rather complainants/allottees should file separate complaints raising each cause of action in their individual complaints. At this stage, question of maintainability is to be determined. No document has been filed as to whether any association has been formed or not? If an association of allottees is formed, such association may file a complaint for common reliefs.
4. In view of the above, it is directed that for effective adjudication, the complainants/allottees may file separate individual complaints for seeking relief in personam. For the common issues, they may continue with the present complaint. Ld. Counsel for the complainants submitted that he will file an affidavit, wherein he will enunciate the common reliefs and shall request/ pray to restrict the complaint to those reliefs. Ld. Counsel

A handwritten signature in blue ink, appearing to read 'J. Sathee', is written over a horizontal line.

for the complainant is directed to file the said affidavit within 4 weeks with an advance copy supplied to the respondent.

5. Case is adjourned to 02.04.2024.



.....
CHANDER SHEKHAR
[MEMBER]



.....
DR. GEETA RATHEE SINGH
[MEMBER]



.....
NADIM AKHTAR
[MEMBER]



.....
PARNEET S SACHDEV
[CHAIRMAN]