



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

### COMPLAINT NO. 1867 OF 2022

Parmod Kumar

....COMPLAINANT

VERSUS

TDI Infrastructure Ltd.

....RESPONDENT

**CORAM:**

**Dr. Geeta Rathee Singh**  
**Nadim Akhtar**

**Member**  
**Member**

**Date of Hearing:** 26.07.2023

**Hearing:** 5<sup>th</sup>

**Present: -**

Ms. Nidhi Jain, Counsel for complainant.  
Mr. Shubhnit Hans, Counsel for the respondent through  
VC.

### ORDER (DR. GEETA RATHEE SINGH- MEMBER)

1. In the present case, complainant had booked flat in respondent's project-Kingsbury Flats, TDI City, Kundli, Sonipat by paying Rs 3,00,000/- on 18.02.2006, following which another payment of Rs 2,50,000/- was made to respondent on 07.09.2006. Thereafter no further payment was made to respondent which implies that total paid amount is only Rs 5,50,000/-. It is the allegation of complainant that neither any unit has been allotted till date nor any builder buyer agreement was ever signed between the parties.

*Geeta Rathee*

Through present complaint, complainant is seeking relief of refund of paid amounts with interest.

2. Respondent in its written statement submitted that occupation certificate for the project in question has already been received on 25.05.2012. Pertaining to allotment of unit and execution of builder buyer agreement, it has been submitted that letter dated 07.07.2011 was issued to complainant offering allotment in existing towers which were almost complete. But it is the complainant who has never responded to said letter. Proof of service has also been attached with the reply.
3. Today, ld. counsel for respondent stated that complainant is at fault by not exercising his right to choose out the unit out of existing towers. Ld. counsel for complainant states that no such letter has been received by his client. She further sought time to rebut the submissions of respondent by filing rejoinder. Her request is allowed. Complainant is directed to file proper written submissions with documentary evidence to the effect that what steps have been taken by him since last payment i.e. 07.09.2006 to get the allotment of specific unit allotted or towards execution of builder buyer agreement. Said rejoinder be filed within 2 weeks with advance copy supplied to respondent.

  
G. Rathore

4. Case is adjourned to 15.11.2023 for arguments.

  
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NADIM AKHTAR  
[MEMBER]

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

