



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2087 OF 2023

Nitika Jain and Another

....COMPLAINANTS

VERSUS

BPTP Ltd. & ors

....RESPONDENTS

CORAM:

Dr. Geeta Rathee Singh
Nadim Akhtar

Member
Member

Date of Hearing: 22.11.2023

Hearing: 1st

Present: -

Mr. Akshat Mittal, Counsel for the complainants
Mr. Hemant Saini, Counsel for the respondents
through VC.

ORDER(DR. GEETA RATHEE SINGH- MEMBER)

1. Upon notice, Mr. Hemant Saini, learned counsel appeared on behalf of both the respondents and sought time to file reply. His request is accepted.
2. Mr. Akshat Mittal, learned counsel for the complainants submitted that complainant has filed present complaint seeking possession of unit bearing no. PE-122-GF. Instead of offering possession of booked unit, respondents sent an email dated 17.08.2023 to the complainants, whereby complainants were given options pertaining to refund alongwith 6% simple interest, option to sign an amended BBA

Geeta Rathee

alongwith revised date of delivery, and option to choose alternate unit at current market value. These options were unacceptable to the complainants and the complainants conveyed their discontent vide email dated 30.08.2023 to the respondents. However, the respondent company issued an email dated 07.09.2023 to the complainants apprising that since none of the options are suitable to the complainants, their case is being processed for refund payout, with interest. A copy of email dated 07.09.2023 is annexed as Annexure C-27. Complainants again conveyed their discontent to the respondents vide email dated 08.09.2023 against the unilateral processing of their unit for refund payout. Highlighting thee turn of events, Mr. Akshat Mittal, learned counsel for the complainants submitted that the complainants are under grave apprehension that the respondent company will unjustly initiate refund proceedings against their unit. Therefore, he prayed that interim directions be issued to the respondent to maintain status quo with regard to the unit allotted to the complainants till further orders and stay any such proceedings being initiated for refund payout.

3. Considering the submissions of the learned counsel for the complainants, Authority, in the interest of justice, directs that the respondent company shall not further proceed with the refund payout



proceedings initiated against the unit of the complainants till further orders.

4. Respondents are directed to file reply within 4 weeks with an advance copy supplied to the complainants. In case, complainants wish to file rejoinder/written submission he may file the same at least 7 days prior to next date of hearing with an advance copy supplied to the opposite party.
5. Case is adjourned to 05.03.2024.


.....
NADIM AKHTAR
[MEMBER]


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