



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. Complaint no. 529 OF 2018 (14th hearing)

Kapil Jain and Anu Jain

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

2. Complaint no. 755 OF 2018 (12th hearing)

Jyoti Berry

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

3. Complaint no. 1068 OF 2018 (11th hearing)

Rajiv Kochhar and Sharda Kochhar

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

4. Complaint no. 1069 OF 2018 (11th hearing)

Ashish Kumar Kochhar

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

5. Complaint no. 2144 OF 2019 (7th hearing)

Babita Yadav and Attar Singh

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

6. Complaint no. 3052 OF 2019 (4th hearing)

Manish Vashist

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

7. Complaint no. 220 OF 2020 (3rd hearing)

Vinod Sharma

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

8. Complaint no. 274 OF 2020 (3rd hearing)

MA Rathor

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

9. Complaint no. 1104 OF 2020 (2nd hearing)

Tarun Khurana and Komal Khurana

....COMPLAINANT(S)

VERSUS

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Raheja Developers Ltd.

....RESPONDENT(S)

10. Complaint no. 1298 OF 2020 (1st hearing)

Bhuvnesh Kumar Gupta

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

11. Complaint no. 1321 OF 2020 (1st hearing)

Geeta Sudan

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

12. Complaint no. 1324 OF 2020 (1st hearing)

Yogesh Kumar

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

13. Complaint no. 1454 OF 2020 (1st hearing)

Sanjeev Punj

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

14. Complaint no. 370 OF 2021 (7th hearing)

Avinash Chandra

....COMPLAINANT(S)



VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

15. Complaint no. 1108 OF 2021 (1st hearing)

Pankaj Singh Yadav and Prithvi Singh Yadav

....COMPLAINANT(S)

VERSUS

Raheja Developers Ltd.

....RESPONDENT(S)

CORAM:

Rajan Gupta
Dilbag Singh Sihag

Chairman
Member

Date of Hearing: 17.03.2022

Present: -

Mr. Himanshu Raj, learned counsel for the complainant
in complaint no. 529/2018 through Video Conference.

Mr. Vishal Madan, learned counsel for the complainant in
complaint no. 220/2020 through Video Conference.

Mr. Neeraj Goel, learned counsel for the complainant in
complaint no. 274/2020 through Video Conference.

Ms. Jasneet Kaur, learned counsel for the complainant in
complaint no. 1104/2020 through Video Conference.

Mr. Shubhnit Hans, learned counsel for the complainant
in complaint no. 370/2021 through Video Conference.

Mr. Vikrant Rana, learned counsel for the complainant in
complaint no. 1108/2021 through Video Conference.



None present for complaint no. 755/18, 1068/18,
1069/18, 1298/2020, 1321/2020, 1324/2020, 1454/2020,
3052/2019, 2144/2019.

Ms. Navneet, learned counsel for the respondent through
Video Conference

ORDER (DILBAG SINGH SIHAG-MEMBER)

1. All above captioned complaints are taken up together as grievances involved therein are more or less identical and pertains to same respondent. So, facts of Complaint no. 529 of 2018 titled "Kapil Jain and Anu Jain Versus Raheja Developers Ltd." is taken as lead case.
2. Learned counsel for the complainant has brought attention of the Authority to its orders dated 27.10.2020 whereby it had been held that a clear cut case of refund is made out in favor of complainants. He read relevant order in the court and the same is reproduced below for reference:
 5. Arguing for the complainant Shri Himanshu Raj stated that the construction building has not even commenced beyond some basic excavation work at the basement. He requested that the orders for refund of the money paid along with interest and compensation should be passed.
 6. The Authority observes that despite various directions, no justification has been given by the respondents for delay in construction of the site. The complainants are waiting for possession of their apartments since long. They cannot be made to wait endlessly. There is no likelihood of completion of the project in near future, especially in view of the facts and

circumstances narrated above. Therefore, the present complaints are fit for awarding refund in favour of complainants. The money paid by the complainants deserves to be refunded to them along with interest.

However, learned counsel for respondent seeks time to file detailed reply in some cases. Learned counsel for complainant, Mr. Himanshu Raj, contended that respondent is making delay tactics because in some cases reply has already been filed. Mr. Kamaljeet Dahiya states that he wants to make certain submissions in his written statement which needs to be taken on record.

7. On request of respondent's counsel, all the matters are adjourned to 18.11.2020 for final arguments. No further opportunity will be granted.

3. Based on the above arguments, authority observes that respondents have absolutely failed in their responsibilities. Therefore Authority is prima facie of the view that case of refund in the case is made out. On the ground of previous order of the authority and cancellation of registration of the respondent, the Authority is of prima facie view that complainants are entitled to refund, however since the counsel for the respondent has requested for an adjournment to be physically present for arguments, the case is adjourned to 31.03.2022



RAJAN GUPTA
[CHAIRMAN]



DILBAG SINGH
[MEMBER]