



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2264 OF 2022

B.B Lal Aggarwal

..... COMPLAINANT

Versus

1. M/s Pardesi Developers Pvt. Ltd.
2. M/s CMD Buildtech

.....RESPONDENTS

CORAM: Dr. Geeta Rathee Singh
Nadim Akhtar

Member
Member

Hearing: 5th

Date of Hearing: 21.09.2023

Present: - Mr. Neeraj Goel, learned counsel for complainant through VC.

Mr. Sushant Dahiya, learned counsel for respondent no.2 through VC.

None for respondent no. 1.

Geeta Rathee

ORDER (Dr. GEETA RATHEE SINGH - MEMBER)

1. Vide its last order dated 04.07.2023 , Authority directed both the parties to place following documents:
 1. Complainants to place on record pass books showing proof of payments.
 2. Respondent no 1 to place on record list of allottees which was produced before Hon'ble High Court while making the said settlement.
2. Ld counsel for complainant stated that regarding the pass books showing proof of payments, complainant filed an application dated 18.04.2023 to bank manager seeking required statements but till date bank had not reverted to the same. Copy of application annexed as Annexure C-18. He stated that online statement is not available as said account with Oriental Bank of Commerce was closed way back in year 2016, now merged in PNB. Further stated that list of members with payments provided by the respondent no.2 to the respondent no. 1 at the time of handing over of possession of project is attached as Annexure C-13 wherein it is mentioned that the name of complainant at serial no. 36,49 and 122 and NOC issued by respondent no. 2 which shows complainant paid the amounts and there were no dues towards the complainant. He stated that respondent did not provide the list of allottees till date, which was directed by Authority vide its last order and also respondent is not rebutting the list of members with payment which is attached at Annexure C-13 by the complainant.
3. Learned counsel for respondentno.2 stated that complainant has committed fraud by filing false litigation and complainant is guilty of forging receipts,



builder buyer agreement and NOC to raise a false claim before this Authority. Further stated that he had mailed the list of allottees to the complainant and will also file the same before Authority .In the said list name of complainant is not there. To this counsel for complainant denied the receiving of email.

4. On hearing both the parties Authority asked to the respondent counsel of the action taken by them regarding the allegations of fabrication of documents against the complainant. To this, counsel for respondent stated that he is denying the receipts and other documents vide para B of reply. He stated that he is not liable to complainant as receipts mentions the name of CMD ,i.e., respondent no. 1 not the respondent no.2 .He also stated that present complaint is in collusion between complainant and erstwhile director namely CM Narula. To this, Authority observed that respondent did not take any action and he is simply denying receipts and other documents without rebutting by way of proof.
5. Case is part heard. Respondent is directed to provide list of allottees which was produced before Hon'ble High Court while making the said settlement.
6. Case is adjourned to **13.12.2023**.



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NADIM AKHTAR
[MEMBER]



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DR. GEETA RATHEE SINGH
[MEMBER]