



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 234 OF 2022

Neeraj Agarwal

....COMPLAINANT(S)

VERSUS

Parsvnath Developers Ltd.

....RESPONDENT(S)

CORAM:

**Dr. Geeta Rathee Singh
Nadim Akhtar**

**Member
Member**

Date of Hearing: 18.07.2023

Hearing: 7th

Present: - Mr. Neeraj Agarwal, complainant through video conference

MR. Yashvir Singh, counsel for the respondent.

ORDER (NADIM AKHTAR - MEMBER)

1. On the last hearing of this case dated 26.04.2023 both the parties were directed to submit certified bank statements to prove or rebut the payments made by respondent. Relevant part of the order is being reproduced below:

"Respondent vide application dated 05.01.2023, submitted on 25.01.2023 has sought permission of

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the Authority to place on record a true copy of bank statement along with copies of cheques, which clearly depicted that an amount of ₹15,23,508/- had been paid to the complainant. However, on perusal of statement annexed with said application, it is revealed that it is not true copy of bank statement as stated by respondent in his application; rather it is customer ledger of respondent relating to unit of complainant. Said customer ledger is a document of respondent company and cannot be solely relied upon to determine the amount paid by him to the complainant as reimbursement of EMIs.

Complainant in his complaint has submitted that respondent had only reimbursed an amount of ₹9,32,760/- against the loan payments till date whereas respondent claims that an amount of ₹15,23,508/- has been reimbursed to the complainant. In order to ascertain the amount reimbursed to the complainant by the respondent, both the parties are directed to submit certified bank statements to prove or rebut the payments made by respondent"

2. None of the parties has complied with the aforesaid order of the Authority.
3. Complainant submitted that the payment was made in 2-3 bank accounts and some bank accounts out of them have been closed so he has shown his inability to submit certified bank statements to prove or rebut the payments made by respondent.

Had

4. Ld. counsel for the respondent requested for a short adjournment to submit necessary documents. He requested the Authority to supply him the documents submitted by the complainant. Said request was allowed and ld. counsel for the respondent was permitted to inspect the file and requisite documents were provided to him.
5. In these circumstances, Authority directs the complainant to file an affidavit with respect to the amounts claimed by him which has been paid by the respondent. Further, respondent is directed to prove his case on the next date failing which the case will be decided on the next date on the basis of available record.
6. Adjourned to 01.08.2023.


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Dr. GEETA RATHEE SINGH
[MEMBER]


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NADIM AKHTAR
[MEMBER]