



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2345 OF 2022

Ram Prakash

....COMPLAINANT

VERSUS

TDI Infrastructure Ltd.

....RESPONDENT

CORAM:

**Nadim Akhtar
Chander Shekhar**

**Member
Member**

Date of Hearing: 04.03.2024

Hearing: 6th

Present: -

Mr. Gaurav Gupta, Counsel for complainant through VC.
Mr. Shubhnit Hans, Counsel for the respondent through VC

ORDER (NADIM AKHTAR- MEMBER)

1. Case was fixed for hearing on 20.03.2024. However, due to constitution of Benches, the case is taken up today for hearing.
2. On the last date of hearing, i.e., 07.12.2023, following order was passed:-

“ Today, ld. counsel for complainant has stated that respondent has not filed any affidavit in compliance of directions issued vide previous order. He further stated that complainant has gathered information by his own sources about un-allotted plots and as per the information received, there are 5 plots bearing no.s Block B 4/1, 235.5 sq yds, Block B 3/37, 227.24 sq yds, Block F 29/B, 253.39 sq yds, Block F 29/C, 226.68 sq yds, Block F 267/A, 249.96 sq yds which are available for allotment.

Ld. counsel for respondent stated that due to some unforeseen circumstances he could not convey the company about filing of an affidavit in compliance of previous order. He sought time to furnish said affidavit.

In view of above, Authority directs the respondent to file an affidavit in compliance of directions issued vide previous order dated 05.10.2023 incorporating therein current status of plots specified in para no. 2 of this order as to whether these plots are available for allotment or not? Further, respondent is again directed to provide atleast 5 options of alternate similarly placed plot in terms of value and size as of originally allotted plot bearing no. H-819, 250 sq yards to complainant vide email within next 2 weeks. Requisite details of plots like cost, location and size are to clearly mentioned in mail for reference of complainant. In case, complainant is willing to accept any alternate plot out of said plots then a site visit be fixed by parties on a mutually agreed date. Copy of mail to be sent by respondent should also be supplied to Authority before the next date of hearing.

Case is adjourned to 20.03.2024"

3. Today, ld. counsel for respondent stated that as per his instructions no plot is available for allotment including those 5 plots specified by complainant. Those 5 plots are either with some broker or not available due to dispute with land owners. However, he again sought time to file affidavit in compliance of directions issued vide order dated 05.10.2023 and 07.12.2023.
4. Ld. counsel for complainant stated that respondent is not complying with orders intentionally and is using delaying tactics. He requested that heavy penalty be imposed upon respondent for such defiance.
5. In aforesaid circumstances, the Authority is of view that respondent failed to file an affidavit in compliance of order dated 05.10.2023 and



07.12.2023 without any reasonable justification. Said non-compliance results in unavoidable delay in adjudication of issues involved in case which is not justified on part of respondent, therefore cost of Rs 25,000/- payable to Authority is imposed upon respondent. Respondent is directed to file affidavit before the next date of hearing with advance copy supplied to complainant.

6. Case is adjourned to **11.03.2024**.


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CHANDER SHEKHAR
[MEMBER]


.....
NADIM AKHTAR
[MEMBER]