



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:

Dr. Geeta Rathee Singh

Member

Nadim Akhtar

Member

Date of Hearing: 05.10.2023

Hearing: 4TH

Present: -

Mr. Gaurav Gupta, Counsel for Complainant,
through VC

Mr. Shubhnit Hans, Counsel for respondent.
through VC

ORDER (NADIM AKHTAR- MEMBER)

1. On the last date of hearing, i.e., 02.08.2023 Authority had observed as follows:-

Ld. counsel for complainant submitted that complainant visited the site office on the date fixed but no one was present on behalf of respondent to show the alternate plots. In rebuttal, ld.

counsel for respondent stated that as per his instructions complainant did not visited the site on the date fixed and a letter dated 29.07.2023 has also been issued to complainant in this regard. He requested that another date be fixed for alternate plot. Ld. counsel for complainant agreeing to this proposal stated that respondent should provide the details of concerned person of respondent before the date of site visit.

*In view of the above, Authority directs the complainant to visit the site of the project i.e TDI City, Kundli on **10.08.2023 at 11:00 am** for selection of an alternate unit. Respondent promoter shall ensure that a senior representative of the respondent will remain available at site to show the alternate units offered for selection. Details of said representative like name and contact no. will be shared by respondent to complainant as well as to Authority by way of email upto **08.08.2023** positively. If complainant opts for an alternate unit of his choice , respondent shall provide him with a detailed statement of accounts including all payable receivables after adjustment of the amount already deposited by the complainant with the respondent towards original booking. Respondent will file a detailed report of the site visit and terms and condition of the alternate booking before next date of hearing.*

Case is adjourned to 05.10.2023.

2. Today, Id. counsel for complainant has stated that an email dated 07.08.2023 was sent by respondent's counsel intimating therein the detail of concerned official who will remain available for site visit on 10.08.2023. However, later on another email dated 09.08.2023 was received stating that due to non-availability of concerned person meeting/site visit on 10.08.2023 could not take place and next suitable will be informed by the respondent. But no date was further initiated to



complainant for site visit despite the e-mails dated 17.08.2023 and 17.09.2023 being sent to respondent towards reminders to site visit. In reply to this, Id. counsel for respondent stated that initially complainant was invited for a meeting for all the un-allotted plots but later on it has come to the notice that no plot is available in the project-TDI City, Kundli, Sonipat for allotment to complainant as an alternate plot. So, respondent is ready to refund the paid amount.

3. Further, Id. counsel for complainant submitted that complainant is interested in seeking possession of plot only so alternate plot in another project of same value as of originally allotted plot be allotted by respondent. Id. counsel for respondent sought time to seek instructions in this regard.
4. In view of above, Authority directs the respondent to file an affidavit stating that no un-allotted plot is available in the project-TDI City Kundli, Sonipat for allotment to complainant. Further, respondent is 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 3 weeks. Requisite details of plot 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.

5. Case is adjourned to 07.12.2023.



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



.....
NADIM AKHTAR
[MEMBER]