



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: 07.12.2023

Hearing: 5th

Present: -

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

ORDER (DR. GEETA RATHEE SINGH- MEMBER)

1. On the last date of hearing, i.e., 05.10.2023 Authority had observed as follows:-

"Today, ld. 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, ld. counsel for respondent stated that initially complainant was invited for a meeting for all the un-allotted plots but later on it has

Geeta Rathee

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.

Further, ld. 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. Ld. counsel for respondent sought time to seek instructions in this regard.

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."

2. 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.
3. Ld. counsel for respondent stated that due to some unforeseen circumstances he could not convey the company about filing of an

Rathee

affidavit in compliance of previous order. He sought time to furnish said affidavit.

4. 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.

5. Case is adjourned to 20.03.2024


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NADIM AKHTAR
[MEMBER]


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DR. GEETA RATHEE SINGH
[MEMBER]