



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 237 OF 2022

Shaurya Kaul

....COMPLAINANT

VERSUS

BPTP Ltd.

....RESPONDENT

CORAM:

Dr. Geeta Rathee Singh

Member

Nadim Akhtar

Member

Date of Hearing: 04.07.2023

Hearing: 6th

Present: - Mr. Nitin Kant Setia, Counsel for complainant
through Vc

Mr. Hemant Saini, Counsel for the respondent.

ORDER (NADIM AKHTAR- MEMBER)

1. Case was heard at length on 26.04.2023. In view of rival contentions of both parties, Authority vide order dated 26.04.2023, had directed the complainant to prove that necessary steps were taken by him for execution of BBA prior to 19.06.2021 with respondent. Respondent was directed to prove that necessary steps were taken by them like sending of a copy of BBA to complainant for his signatures and to provide the status of offer of possession, if any, sent to complainant

after receipt of occupation certificate. Relevant part of order dated 26.04.2023 is reproduced below:

“3. Arguments of ld. counsels appearing on behalf of both parties have been heard. Authority observes that complainant has not pleaded about any protest towards signing of BBA dated 19.06.2021. The fact remains that demand letters were issued in time by respondent and the same were honoured by complainant without any objections/protest. Generally, after issuance of allotment letter, respondent sent the draft of BBA for signature of complainant or call the complainant to their office for completion of necessary formalities by signing relevant documents. In this case, the parties were having commercial transactions but the same were not facilitated/supported with execution of necessary documents. In these circumstances, both parties are directed to prove their case with proper documentary evidence. Complainant is directed to prove that necessary steps were taken by him for execution of BBA prior to 19.06.2021 with respondent. Respondent is directed to prove that necessary steps were taken by them like sending of a copy of BBA to complainant for his signatures. Respondent is also directed to provide the status of offer of possession, if any, sent to

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*complainant after receipt of occupation
certificate"*

2. In compliance of order dated 26.04.2023, learned counsel for the complainant has filed written submissions in the registry of the office on 30.06.2023. Copy of the written submissions has been supplied to learned counsel for the respondent today in Court.
3. Learned counsel for the complainant submitted that he does not wish to file any document, other than the one already placed on record. He requested that the case may be fixed for arguments.
4. Learned counsel for the respondent sought time to peruse the written submission filed by complainant and to file objections, if any. He also sought time to file requisite information in compliance with order dated 26.04.2023. Respondent is granted last opportunity to file relevant documents in compliance with the order dated 26.04.2023 within four weeks and objections, if any, to the written submission filed by complainant.
5. Case is adjourned to 05.09.2023 for arguments.


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DR. GEETA RATHEE SINGH
[MEMBER]


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NADIM AKHTAR
[MEMBER]