



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2404 OF 2022

Sanjay Sharma

....COMPLAINANT

VERSUS

1. BPTP Limited.

2. Countrywide Promoters Pvt. Limited.

....RESPONDENTS

**CORAM: Dr. Geeta Rathee Singh
Chander Shekhar**

**Member
Member**

Date of Hearing: 20.02.2024

Hearing: 5th

Present: - Sh. Arjun Kundra, counsel for complainant

Sh. Hemant Saini, counsel for respondents

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ORDER :

1. Captioned case was listed for hearing on 31.01.2024. However, due to the constitution of benches, case is being taken up today for hearing.
2. As per last order dated 29.11.2023, respondents were given last opportunity to file reply and to pay earlier imposed cost of ₹ 10,000/- payable to Authority and ₹ 5000/- payable to complainant by 08.12.2023 failing which defence of respondents shall stand struck off and matter will be heard on merits.
3. Today, Sh. Hemant Saini, counsel for respondents apprised the Authority that reply is ready but due to non- payment of earlier imposed cost, reply has not been accepted by the registry. He seeks some time to clarify the issue of cost and time to file reply.
4. After going through records, Authority observes that today is the 5th date of hearing of the matter which was filed by complainant on 15.09.2022. Meaning thereby four opportunities stretching over a period of more than one year had already been granted to respondents to file reply. Vide last order dated 29.11.2023, respondents were given last opportunity to file reply by 08.12.2023 failing which defence of respondent was ordered to be struck off. Today, also respondent had failed to file reply on one or other pretext. In view, of such conduct deputed non-adherence to the directions issued by the Authority, Authority is constrained to struck of right of defence of respondent. Authority observes that proceeding before



it, are summary in nature and if the respondent builder fails to file a reply even after period of almost one year and five months, it does not deserve any further opportunity. If the opportunity to file reply are made endless it shall defeat the whole purpose/objective of the RERA Act 2016, which was enacted with the intend to deliver speedy justice.

5. Case is adjourned to **28.05.2024** for arguments and oral submissions.


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DR. GEETA RATHEE SINGH
[MEMBER]


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CHANDER SHEKHAR
[MEMBER]