



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 2418 OF 2019

Rajesh

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

2. COMPLAINT NO. 2408 OF 2019

Adarsh Sharma and Mahendra Pal Sharma

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

3. COMPLAINT NO. 2423 OF 2019

Anil Kumar Dubey

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

4. COMPLAINT NO. 2424 OF 2019

Krishna Chandra Joshi

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

5. COMPLAINT NO. 2427 OF 2019

Sachin Sharma

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

6. COMPLAINT NO. 2428 OF 2019

Ashwani Sharma and Mohini Sharma

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

7. COMPLAINT NO. 2432 OF 2019

Davinder Behal

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

8. COMPLAINT NO. 2439 OF 2019

Rohit Panghal

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

9. COMPLAINT NO. 2444 OF 2019

Neeraj Thakur

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

10.COMPLAINT NO. 2446 OF 2019

Subhash and Manisha

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

11.COMPLAINT NO. 2460 OF 2019

Rajeev Kumar

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

12.COMPLAINT NO. 2462 OF 2019

Anil Singh Bisht

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

13.COMPLAINT NO. 2463 OF 2019

Nidhi Garg

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

14.COMPLAINT NO. 2464 OF 2019

Shakuntla Kaul

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)



15.COMPLAINT NO. 2465 OF 2019

Suhagni Bhat and Ranjan Bhat

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

16.COMPLAINT NO. 2466 OF 2019

Sunil Dudeja and Raj Rani

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

17.COMPLAINT NO. 2469 OF 2019

Susmita Marcharak

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

18.COMPLAINT NO. 2470 OF 2019

Purnima Jain

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

19.COMPLAINT NO. 2471 OF 2019

Neeraj Virmani

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)



20.COMPLAINT NO. 2651 OF 2019

Ajit Kumar Yadav

....COMPLAINANT(S)

VERSUS

Hightech Construction Co. Pvt. Ltd.

....RESPONDENT(S)

CORAM:

**Rajan Gupta
Anil Kumar Panwar
Dilbag Singh Sihag**

**Chairman
Member
Member**

Date of Hearing: 19.11.2020

Hearing: 4th

Present through video conference: -

Mr. Yogesh Kumar Goyal,
Ld. Counsel for the complainants
(in all complaint nos. 2418,2408,2423,2424,2427,
2428,2432,2439,2444,2446,2460,2462,2463,
2465,2466,2469,2470,2471,2651 of 2019)

None for complainant
(in complaint no.2464 of 2019)

Mr. Abhinav Sood, Ld. Counsel
for the respondent

ORDER (DILBAG SINGH SIHAG-MEMBER)

1. Above captioned complaints are taken up together as the core dispute in all the cases is identical. Therefore, facts of the complaint case no. 2418

of 2019 titled as Rajesh versus Hightech Construction Co. Pvt. Ltd. taken as a lead case while hearing these complaints.

2. Learned counsel for the complainants stated that all the complainants have sought relief of refund of amount which had been paid to the respondent/promoter for purchase of their respective units in the respondent's project. During hearing itself, Authority relied on recent orders of the Hon'ble High Court of Punjab and Haryana, Chandigarh passed in Civil Writ Petition 38144 of 2018 titled as Experion Developers Pvt. Ltd. vs State of Haryana and others along with other writ petitions, dated 16.10.2020, observed that The Haryana Real Estate Regulatory Authority has jurisdiction and power to adjudicate all types of complaints of the allottees vide which they are seeking relief of refund of the amount and interest thereof in case there is delay in completion of the project beyond stipulated time as mentioned in their Builder Buyer Agreements. Similarly, all cases, where possession of booked properties is being sought, Authority has power to award interest for delay period of project completion as prescribed under Rule 15 of HRERA Rules, 2017.

3. But at Present, operation of above orders dated 16.10.2020 in CWP No. 38144 of 2018 of the Hon'ble High Court has been ordered to be stayed by Hon'ble Apex Court vide order dated 05.11.2020 in SLP No. 13093 of 2020 titled as M/s Sana Realtors Pvt. Ltd. vs Union of India & Ors. and SLP No. 13238 – 13256 of 2020.

3. Cases are therefore, adjourned **sine die** to await the final decision in the aforementioned writ petitions pending before the Hon'ble Apex Court.



RAJAN GUPTA
[CHAIRMAN]



ANIL KUMAR PANWAR
[MEMBER]



DILBAG SINGH SIHAG
[MEMBER]