



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2551 OF 2022

Asha Batra through authorised
Representative Ashok Kumar Pasricha

....COMPLAINANT

VERSUS

BPTP Ltd.

....RESPONDENT

CORAM: Nadim Akhtar

Member

Chander Shekhar

Member

Date of Hearing: 04.08.2025

Hearing: 11th

Present: Adv. Nitin Kant Setia, counsel for complainant through VC.

Adv. Hemant Saini, Counsel for respondent.

ORDER: (NADIM AKHTAR-MEMBER)

1. Relevant part of last order dated 26.05.2025 is reproduced as under:

After hearing both parties and considering the material on record, the Authority hereby directs as follows:

- i. The respondent shall hand over physical possession of the unit in question to the complainant forthwith, subject to settlement of receivables and payables, which shall be adjudicated separately by the

Authority in terms of the directions of the Hon'ble Haryana Real Estate Appellate Tribunal in appeal no. 9 of 2018.

- ii. The respondent shall not demand or collect any stamp duty or maintenance charges at the time of handing over possession. The issue of liability towards stamp duty and maintenance charges, if any, shall be decided separately by the Authority.*
 - iii. It is clarified that handing over of possession shall not prejudice the complainant's rights to challenge any illegal charges, including but not limited to EDC, EEDC, cost escalation, or increase in area.*
2. Learned counsel for the complainant submitted that in compliance with the above directions, the respondent has merely sent a general email regarding possession. However, no specific communication has been issued to the complainant indicating the date, time and place for taking possession, nor has any statement of account or outstanding balance been shared. He further submitted that the respondent should not raise any demand towards stamp duty or other charges at the time of handing over possession. Accordingly, he requested that the Authority may direct the respondent not to levy or collect any such charges at the time of giving possession of the unit.
3. On the other hand, learned counsel for the respondent submitted that the project has already been handed over to the Resident Welfare Association (RWA). However, the respondent is still ready and willing to hand over possession to the complainant. He further stated that the outstanding dues payable by the complainant amount to ₹24,77,841/-. He requested the



Authority to grant time to place on record an application along with the relevant documents in support of the same.

4. Authority directs that the respondent shall issue a specific communication to the complainant within 7 days from the date of this order, clearly mentioning the date, time, and place for handing over physical possession of the unit. The said communication shall also include a detailed statement of account showing the outstanding dues, if any. The respondent shall not raise any demand or collect stamp duty, or any other charges at the time of handing over possession in line with the earlier directions of this Authority. The issue of liability towards these heads shall be adjudicated separately. The complainant shall cooperate with the respondent and appear at the given date and time to take over possession of the unit. The respondent is directed to file an application before the Authority along with necessary documents, if any, in support of the alleged outstanding dues of ₹24,77,841/-, detailing/ justifying the demand amount viz-a-viz BBA, within two weeks from today.
5. Lastly, Authority directs counsels of both the parties to remain physically present on the next date of hearing for the purpose of final arguments. Further, last opportunity is granted to both the parties to file their written submissions, if any, within next two weeks of uploading of this order, with



copy supplied to the opposite parties. No further opportunity will be granted to file documents/written submissions thereafter.

6. Case is adjourned to 29.09.2025 for further arguments.


CHANDER SHEKHAR
[MEMBER]


NADIM AKHTAR
[MEMBER]

