



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 261 OF 2023

Kamla Dalal

....COMPLAINANT

VERSUS

Ruhil Promoters Pvt. Ltd.

....RESPONDENT

CORAM: Dr. Geeta Rathee Singh

Member

Nadim Akhtar

Member

Date of Hearing: 15.11.2023

Hearing: 4th

Present: - Mr. Jasdeep Singh Advocate, counsel for complainant.

Mr. Kamal Dahiya, Advocate, counsel for the respondent

Mr. Ravi Ranga, Authorized representative of respondent.

Geeta Rathee

ORDER (DR. GEETA RATHEE SINGH - MEMBER)

1. Relevant part of order dated 13.09.2023 passed by the Authority is reproduced below:

“Mr. Jasdeep Singh, appeared on behalf of complainant stated that complainant is seeking relief of possession along with proper amenities which was assured in Builder Buyer Agreement. In response to the same, learned counsel for respondent stated that project is complete and respondent is ready to offer possession to the complainant.

Authority directs the respondent to invite complainant to visit the site and offer physical possession of the unit within next 30 days from today on a mutually agreed date between the parties. While taking physical possession, the complainant should visit his unit in the presence of representative of respondent company and make a list of the shortcomings in the unit, if any, and provide the list of same to the respondent. Respondent is directed to rectify all the shortcomings of the unit, pointed out by the complainant as per terms and conditions of the Builder Buyer Agreement in another 15 days. It is hereby directed to respondent not to charge any amount from the complainant at this stage. The respondent shall prepare the fresh statement of account as per RERA Rules and Regulations and handover the copy of the same to the complainant on the date of offer of possession. Complainant may file objections, if any, in the said statement of account in the Authority with a copy to the respondent. Payables and receivables shall be decided by the Authority in the further course of hearing.


Dr. Geeta Rathee Singh

The conveyance deed of the unit will be got done by the respondent after the final decision of the Authority on payables and receivables."

2. Learned counsel for complainant stated that possession has not been offered by the respondent till date. Complainant also visited the site of the project, however respondent didn't show him his booked unit and said that there are certain deficiencies in the unit which are to be rectified. To which, learned counsel for respondent replied that they intend to offer possession of the booked flat. However, complainant didn't come forward to take possession. Moreover settlement talks are going on between the parties. Mr. Ravi Ranga, authorised representative of respondent requested the Authority to grant 30 days more from today to the respondent for the purpose of settlement.
3. After hearing both the parties, Hon'ble Authority is of the view that respondent is under obligation to invite and handover the possession to the complainant. Mr. Ravi Ranga is directed to take responsibility to contact and invite the complainant within next 30 days from today on a mutually agreed date and facilitate complainant to inspect the booked unit in presence of representative of respondent company. Complainant is directed to list all the deficiencies/shortcomings in the project there and then and provide list of the same to the respondent. Respondent is

A handwritten signature in blue ink, appearing to read 'R. Ramesh', is written over a horizontal blue line.

directed to rectify all the short comings/deficiencies mentioned by the complainant within next 15 days. Authority also directs respondent to take photos as well as videos as a proof of inspection by the complainant of the booked unit. In case, respondent fails to comply with above directions of the Authority, case will be heard on merits on next date of hearing. In case settlement arrives between the parties, both the parties are directed to place on record before the Authority the terms of settlement at least two weeks before next date of hearing.

4. Case is adjourned to 22.02.2024.


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NADIM AKHTAR
[MEMBER]


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DR. GEETA RATHEE SINGH
[MEMBER]