



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 2676 OF 2019

Tuscan City Floors LX To CL
Residents Welfare Association

...COMPLAINANT

VERSUS

M/S TDI Infrastructure Ltd.

....RESPONDENT

2. COMPLAINT NO. 2627 OF 2019

RWA W Block TDI City Kundli

....COMPLAINANT/S

VERSUS

M/s TDI Infrastructure Ltd.

....RESPONDENT/S

3. COMPLAINT NO. 2629 OF 2019

Terrace Garden Kingsbury Apartments

....COMPLAINANT/S

VERSUS

M/s TDI Infrastructure Ltd.

....RESPONDENT/S

9

4. **COMPLAINT NO. 637 OF 2020**

Kingsbury B & D Tower

...COMPLAINANT

Residents Welfare Association TDI CITY Kundli

VERSUS

M/S TDI Infrastructure Ltd.

....RESPONDENT

5. **COMPLAINT NO. 725 OF 2021**

RWA EFGZRL SIX BLOCKS

...COMPLAINANT

KINGHSBURY TDI CITY KUNDLI

VERSUS

M/S TDI Infrastructure Ltd.

....RESPONDENT

6. **COMPLAINT NO. 757 OF 2021**

KINGSBURY HJK BLOCKS RWA

...COMPLAINANT

VERSUS

M/S TDI Infrastructure Ltd.

....RESPONDENT

7. **COMPLAINT NO. 781 OF 2021**

RWA UVY BLOCKS

...COMPLAINANT

VERSUS

M/S TDI Infrastructure Ltd.

....RESPONDENT

8. **COMPLAINT NO. 782 OF 2021**

C TOWER TDI KINGSBURY RWA

...COMPLAINANT

VERSUS

M/S TDI Infrastructure Ltd.

....RESPONDENT

9. **COMPLAINT NO. 783 OF 2021**

A TOWER TDI KINGSBURY RWA

...COMPLAINANT

VERSUS



M/S TDI Infrastructure Ltd.

....RESPONDENT

CORAM: Rajan Gupta
Dilbag Singh Sihag

Chairman
Member

Date of Hearing: 27.04.2022

Hearing: 15th in Complaint No. 2676 of 2019.
17th in complaint No. 2627 & 2629 of 2019.
12th in Complaint No. 637 of 2020.
5th in Complaint No. 725, 757, 781, 782, 783 of 2021

Present: - Mr. Deepak Dhaiya, Ld. Counsel for all complainants through VC.
Mr. Shubhnit Hans, Ld. Counsel for respondent through VC.
Mr. Sushil Kumar for applicants through VC.

ORDER (RAJAN GUPTA-CHAIRMAN)

1. Learned counsel for the complainants has at outset sought an adjournment in all the complaints on the ground that he wishes to place certain documents on record necessary for disposal of the cases.
2. On a query put by Authority regarding present status of removal of deficiencies by respondent, learned counsel for complainants informed the Court that approximately 40 to 50 percent of deficiencies have been removed.



3. Learned counsel for the respondent is also seeking an adjournment.
4. On request of both parties, cases are adjourned to 05.07.2022 for reviewing status of removal of deficiencies.
5. An application dated 06.01.2022 was filed by Mr. Sushil Kumar, learned counsel for complainants in Complaint no. 3020-2019, 3021-2019 & 1117-2019 to join Complaint No. 2676-2019 for redressal of their issues relating to infrastructural facilities in Phase-I of " Tuscan City". Same was taken on record on 10.02.2022.
6. Learned counsel for applicants has stated that grievances raised by the complainants in aforesaid complaints were two-fold. First set of grievances were related to the issues concerning the units allotted to them which were disposed off on merits vide order dated 07.12.2021. Second set of grievances were regarding lack of infrastructural facilities in 'Tuscan City'. Second set of issues regarding lack of infrastructural facilities were observed to have already been raised by Resident Welfare Association of 'Tuscan City' in Complaint no. 2676 of 2019. Since same were being adjudicated by the Authority in Complaint no. 2676 of 2019, therefore, all issues regarding lack of infrastructural facilities were also disposed of with observation that complainants may join aforesaid complainant Association for redressal of their issues relating to infrastructural facilities.

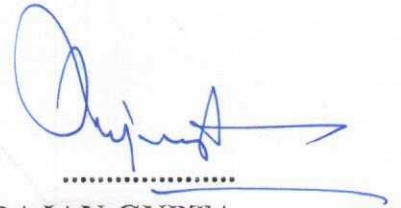


Now, vide present application, applicants have stated that “Tuscan City” Phase I and Phase II are different gated societies, with separate independent infrastructural facilities like sewage treatment plant (STP), water treatment plant (WTP), electrical infrastructure etc. and different maintenance issues. These phases also have different Registered Welfare Associations (RWA). They have further stated that their units are situated in Phase -I of “Tuscan City” and their RWA of Phase-I has not filed any complaint before Authority, therefore, they may be allowed to join Complaint No. 2676 of 2019 (which is pertaining to Phase-II “Tuscan City”).

7. After hearing plea of the applicants and perusal of aforesaid application and order dated 07.12.2021 passed in Complaint no. 3020-2019, 3021-2019 & 1117-2019, Authority observes that as informed by applicants units of applicants/complainants in Complaint no. 3020-2019, 3021-2019 & 1117-2019 are situated in Phase-I of “Tuscan City” and Complaint No. 2676 of 2019 pertains to lack of infrastructural facilities in Phase-II “Tuscan City”. Even both Phases have different Registered Welfare Associations (RWA) and allottees of both Phases have different grievances. Therefore, complainants in Complaint no. 3020-2019, 3021-2019 & 1117-2019 cannot join Complaint No. 2676 of 2019. In such circumstances, Complaint no. 3020-2019, 3021-2019 & 1117-2019 are directed to be reopened and relisted before Authority, only to address grievances of complainants regarding lack of infrastructural



facilities in their part of the project. Thus, application dated 06.01.2022 filed complainants in Complaint no. 3020-2019, 3021-2019 & 1117-2019 to join Complaint No. 2676-2019 stands disposed off. Said cases be fixed for an actual date and parties be informed accordingly.



RAJAN GUPTA
[CHAIRMAN]



DILBAG SINGH SIHAG
[MEMBER]