



Complaint No. 2676 of 2019 & ors.

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 2676 OF 2019

Tuscan City Floors LX To CL

...COMPLAINANT

Residents Welfare Association

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

4. COMPLAINT NO. 637 OF 2020

Kingsbury B & D Tower

...COMPLAINANT

Residents Welfare Association

TDI CITY Kundli

VERSUS

M/S TDI Infrastructure Ltd.

....RESPONDENT

CORAM: Rajan Gupta

Member

Dilbag Singh Sihag

Member

Date of Hearing: 28.04.2021

Hearing: 8th in Complaint No. 2676 of 2019.

10th in complaint No. 2627 & 2629 of 2019.

5th in Complaint No. 637 of 2020.

Present: - Mr. Deepak Dhaiya, Ld. Counsel for all the complainant through VC.

Mr. Shobit Phutela and Mr. Shubhnit Hans, Ld. Counsels for the respondent through VC.

ORDER (RAJAN GUPTA- CHAIRMAN)

1. On last date of hearing i.e. 28.01.2021, Authority had appointed local commissioner i.e. Pro-tech Consortium, Kurukshetra for determination of timelines for removal/rectification of various deficiencies in the complaints/project. Local Commissioner has filed his report dated 31.03.2021.
2. On query put by the Authority regarding removal/rectification of various deficiencies achieved by the respondent as per timelines determined by the Local Commissioner, learned counsel for the respondent stated that the respondent company has already started removal/rectification of deficiencies but same cannot be completed within the timelines given in the Local Commissioner report because there is acute shortage of labour as lockdown has been imposed in New Delhi on account of Second wave of Covid -19 pandemic. He requested the Authority to grant sufficient time to the respondent company for removal/rectification of deficiencies.
3. Learned counsel for the complainant stated that as per layout plan sanctioned by the Department of Town & Country Planning, construction of five clubs in total for the whole project 'TDI, City, Kundli' has been



approved/sanctioned by the concerned department out which four clubs have to be provided for usage of allottees in 'Kingsbury Towers' and one for the allottees of 'Tuscan City'. He stated that the respondent company has provided only one club for 'Kingsbury Towers' out of the four sanctioned clubs, and the club meant for 'Tuscan City' is still under construction. When the Authority asked the complainant's counsel to prove his allegations qua the mandate for construction of five clubs by respondent company on the sanctioned plans, he sought adjournment to place on record the said sanctioned plans. He also sought time to file affidavit in a tabular form detailing amount deposited and dues pending against resident and non-resident allottees on various accounts including CAM charges as well as electricity dues.

4. Although Local Commissioner has given estimated timelines varying from 7 days to 60 days approximately for removal/rectification of various deficiencies, an additional time of 45 days is given for removal/rectification of deficiencies on account of second wave of Covid-19 pandemic on request of learned counsel for respondent. Case is adjourned to 06.07.2021 with direction to the respondent company to remove/rectify various deficiencies before the next date of hearing. Respondent company shall also hold a meeting with all its allottees in the present project/s including complainants within 45 days to apprise them the progress made by it in removal/rectification of various deficiencies. Respondent shall file the



minutes of said meeting and the progress report with an advance copy to the complainants at least a week before the next date of hearing.

5. The Local Commissioner has sent a bill for claiming fee and expenses of Rs. 41,300/-, the respondent company is directed to deposit the said expenses before the next date of hearing.



RAJAN GUPTA
[CHAIRMAN]

DILBAG SINGH SIHAG
[MEMBER]