



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2650 OF 2019

Sunshine County Resident Welfare AssociationCOMPLAINANT

Versus

M/s Ansal Properties and Infrastructure Ltd. RESPONDENT

**CORAM: Rajan Gupta
Dilbag Singh Sihag**

**Chairman
Member**

Date of Hearing: 04.05.2022

Hearing: 16th

Present through video call: - Mr. Venkat Rao, Learned counsel for the complainant

Sh. Ajay Ghangas, Learned counsel for the respondent

ORDER (DILBAG SINGH SIHAG -MEMBER)

1. While initiating his arguments, learned counsel for the complainant apprised the Authority that as per last order dated 01.04.2022, Authority had expressed its tentative view that this matter deserves to be disposed of by giving directions to the respondents company to handover IFMS/Replacement funds of ₹ 3,45,42,956 and money collected on account of maintenance i.e. ₹ 3,28,97,000/- of the project to Resident Welfare Association. Thereafter, RWA will become fully incharge of the project and they may deal with maintenance issues as they deem appropriate.
2. On the other hand, learned counsel for the respondent Sh. Ajay Ghangas, opposed the view expressed by the Authority. He submitted that amounts mentioned on account of IFMS/Replacement fund and Maintenance, in previous orders were incorrect as there are certain dues which were also pending on the part of the complainant Association. He referred to an email dated 08.02.2021 sent by the respondent, whereby he has submitted certain documents pertaining to IFMS/Replacement Funds and arrears to be recovered by respondents/ promoter.
3. After hearing both parties and going through records, Authority observes that tentative view expressed by the Authority in its previous orders is challenged by the respondent/ promoter on the ground that there are certain arrears which are still

pending on the part of allottees, therefore, amounts so mentioned in previous orders for IFMS and maintenance charges which is to be paid to the RWA requires inspection. Learned counsel for the complainant also requested the Authority to appoint an Auditor, for inspection of the paid amounts by the allottees to the respondent/ promoter on account of IFMS/ Replacement Funds and Maintenance charges.

So, Authority deems it appropriate to direct both parties to suggest some names of the agencies or Auditor who can be appointed for inspection of the record of the project in question, so, that actual amount to be paid by the respondent to the RWA can be ascertained. Therefore, case is adjourned to **18.05.2022** with a direction to both parties to file list of suggested names of the Auditors for inspection of the records of project on next date of hearing. Fee required for appointment of the Auditor for the said work will be paid by both parties.



RAJAN GUPTA
[CHAIRMAN]



DILBAG SINGH SIHAG
[MEMBER]