



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2676 OF 2019

Tuscan City Floors LX to CL residents
Welfare Association

....COMPLAINANT

VERSUS

TDI Infrastructure Ltd.

....RESPONDENT

CORAM: **Dr. Geeta Rathee Singh** **Member**

Nadim Akhtar **Member**

Date of Hearing: 10.10.2023

Hearing: 23rd

Present: - Mr. Deepak Dahiya, Counsel for complainant through VC.
 Mr. Shubhnit Hans, Counsel for the respondent through VC.

ORDER (NADIM AKHTAR- MEMBER)

1. On last date of hearing dated 27.07.2023 following order was passed:-

“Today, ld. counsel for complainants in complaint no. 973/2021, 1117/2020 , 3020/2019 and 3021/2019 stated that the project involved in their case and the project involved in complaint no. 2676/2019 are different. Their units are situated in Tuscan City, Phase-I and complaint no. 2676/2019- pertains to Tuscan City, Phase-II. Further, they requested that respondent be directed to remove the deficiencies pointed out by local commissioner in its report within a timebound manner so that appeal bearing no. 103/2022 pending for 29.09.2023 before Hon'ble Real Estate Tribunal in complaint no. 3021/2019 can be proceeded further. In complaint no. 2676/2019, email has been received on official

mail id of office from ld. counsel Mr. Deepak Dahiya that he will be not be able to attend the hearing as he is suffering from conjunctivitis.

Ld. counsel for respondent submitted that Tuscan City is being developed in phases but all the phases are part of one license and share common infrastructural facilities so each phase cannot be dealt with separately.

After hearing submissions of both parties, Authority observes that detailed order dated 29.07.2022 with respect to finalization of order dated 07.12.2021 in complaint no. 1117/2020 , 3020/2019 and 3021/2019 towards issue of delay interest has already been passed. Relevant part is reproduced below:-

“On perusal of record, it is observed that all captioned cases were disposed of by order dated 07.12.2021. Grievances raised by complainants in all these were two fold: first relating to issues concerning the individual units allotted to them. These issues were decided on merits vide order dated 07.12.2021. Second set of grievances of complainants was regarding lack of infrastructural facilities in ‘Tuscan City’ as a whole. Authority vide its order dated 07.12.2021 had observed that second set of issues regarding lack of infrastructural facilities were already under adjudication in complaint no. 2676/2019”.

In respect of issue of lack of infrastructural facilities, Authority deems it appropriate that respondent should conduct a meeting with the aggrieved allottees and RWA (complaint no. 2676/2019) in order to sort out their grievances. All parties should responsibly work towards a mechanism of speedy solution for the issues/grievances present in project-Tuscan City. Complainants are directed to provide agenda of meeting detailing out each issue separately in a tabular form so that all members attending meeting should know the issues for discussion beforehand. Said agenda be supplied to ld. counsel for respondent as well as to this Authority upto 10.08.2023. Meeting shall take place on 19.08.2023 at 3:00 pm at the site office of respondent which shall be attended by the complainants in person or one authorized



representative only and director of respondent company so that effective decisions can be taken at the time of meeting. Ld. counsel for respondent is directed to circulate said agenda to all the requisite staff of respondent company for proper and effective meeting. Complainants are advised to co-operate with the respondent towards a workable solution for redressal of their grievances.

Respondent is directed to file minutes of meeting in the registry atleast one week prior to next date of hearing. Cases are adjourned to 10.10.2023."

2. Today, ld. counsel for respondent submitted that no one had come up on behalf of RWA for meeting in compliance of previous order. Ld. counsel for complainant submitted that agenda was forwarded to RWA for the meeting but I don't have any instructions with respect to meeting whether it has been conducted or not?
3. Authority observes that both parties have not complied with the directions issued vide previous order. One more opportunity is granted to parties to conduct a meeting on the issues detailed out in agenda to be circulated by RWA. Respondent is directed to file minutes of meeting in the registry atleast one week prior to next date of hearing.
4. Case is adjourned to 10.01.2024.


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DR. GEETA RATHEE SINGH
[MEMBER]


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NADIM AKHTAR
[MEMBER]