



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 2815 OF 2022

Daryao SinghCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

2. COMPLAINT NO. 2821 OF 2022

Mrs Manju Gupta Mr Bho Prakash GuptaCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

3. COMPLAINT NO. 2823 OF 2022

Mrs Archana GoelCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

4. COMPLAINT NO. 2824 OF 2022

Mrs Renu Mr Raj Kumar GeraCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

5. COMPLAINT NO. 2825 OF 2022

Mrs Manju Sharma Mr Surender Kumar SharmaCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

6. COMPLAINT NO. 2827 OF 2022

Nikita PatniCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

7. COMPLAINT NO. 2839 OF 2022

Mr Jai Gopal SoniCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

8. COMPLAINT NO. 2841 OF 2022

Mr Ram SharanCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

9. COMPLAINT NO. 2843 OF 2022

Mrs ManjuCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT



10.COMPLAINT NO. 2896 OF 2022

Mr Surinder Kumar BhardwajCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

11.COMPLAINT NO. 2897 OF 2022

Mrs Reema Chandhok Mrs Santosh ChadhaCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

12.COMPLAINT NO. 2898 OF 2022

Sardar Perminder SinghCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

13.COMPLAINT NO. 2899 OF 2022

Mrs Sudesh SharmaCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

14.COMPLAINT NO. 2900 OF 2022

Mr Brij Mohan BhatnagarCOMPLAINANT

VERSUS

TDI Infrastructure Ltd.RESPONDENT

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

Date of Hearing: 18.07.2023

Hearing: 2nd in all cases.

Present: - Ms. Neelam Singh, Counsel for the
 complainants through VC (in all complaints)
 Mr. Shubhnit Hans, learned counsel for the
 respondent. (in all complaints)

ORDER (NADIM AKHTAR- MEMBER)

1. Reply has been filed by the respondent in all captioned cases and copies of same stand supplied to the ld. counsel for complainant in all cases.
2. Ld. counsel for complainants apprised the Authority that captioned complaints involve similar issues and are against same project of respondent pertaining to relief of refund of paid amount with interest. She requested that cases be heard on merits taking complaint no. 2815/2022-Daryao Singh vs TDI Infrastructure Ltd as a lead case. Ld. counsel for respondent pointed out that in said case, there is a technical objection. There are three allottees with whom the builder buyer agreement was executed but complaint has been filed only by the co-allottee- Mr. Daryao Singh. Affidavit of only one complainant is there and even in the performa-B of complaint name of only one complainant is mentioned. He argued that removal of alleged technical



objection is necessary as same will create difficulty at the time of execution.

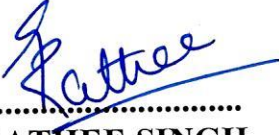
3. In rebuttal, ld. counsel for complainants referred to the replication filed by her in complaint no. 2815/2022 and stated that vakalatnama has been signed by all of three complainants-allottees and case title is written as Daryao Singh & Ors. Amended memo of parties has been attached as Annexure A to said replication. In this regard, ld. counsel for respondent argued that said replication is only supported with affidavit of Mr. Daryao Singh and amended memo of parties which is again signed by only complainant, i.e., Mr. Daryao Singh. Said documents are not properly executed in order to remove technical objection involved in this case.

4. Authority after hearing arguments of both parties and perusing the record is of the view that builder buyer agreement dated 25.05.2011 in complaint no. 2815/2022 was executed between the allottees-Mrs. Anchal & Rajesh Kr. Rana and co-allottee Mr. Daryao Singh and respondent. In performa B of complaint, there is name of only complainant-Mr. Daryao Singh and complaint is supported with only his affidavit whereas all of three allottees should have been impleaded as complainants. Replication relied upon by complainant contains amended memo of parties but again with affidavit of only complainant.



All of three allottees should have been impleaded as complainants being necessary party. Complainant is given liberty to generate fresh performa-B and file fresh complaint alongwith amended memo of parties and affidavit of all three complainants-allottees alongwith requisition to club that fresh complaint no. which will be generated with fresh performa-B in captioned complaint no. 2815/2022. Said application be supplied to respondent in advance. Respondent is also directed to file his reply accordingly so that complaint cases can be argued at the next date.

5. Cases are adjourned to 09.08.2023 for arguments.


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DR. GEETA RATHEE SINGH
[MEMBER]


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NADIM AKHTAR
[MEMBER]