



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 1 OF 2023

Seema

....COMPLAINANT

VERSUS

HL Residency Pvt. Ltd.

.....RESPONDENT

2. COMPLAINT NO. 2985 OF 2022

Neelam

....COMPLAINANT

VERSUS

HL Residency Pvt. Ltd.

.....RESPONDENT

Date of Hearing: 15.01.2024

Hearing: 5th (in both complaints)

Present: - Mr. Naveen Single, Advocate, counsel for complainant through VC

Mr. Gaurav GS Chauhan, Advocate, counsel for respondent

ORDER (PARNEET SINGH SACHDEV - CHAIRMAN)

1. As per last order dated 15.11.2023, respondent was directed to give physical possession to the complainants within next thirty days in both complaints, subject to payment of receivables and payables to be adjudicated later by the Authority. For this purpose, respondent was to send an official communication to the complainants by fixing the date and time of offer of possession. Complainants were also directed to take possession on the date so fixed by the respondent.
2. Learned counsel for respondent submitted that in compliance of last order, respondent filed an application dated 18.12.2023 in the registry stating therein, that the respondent had offered physical possession of the booked units to the complainants vide emails dated 25.11.2023. In response to the emails, complainants visited the site and inspected their units. Furthermore, statement of accounts showing receivables and payables are also annexed with the said application.
3. Authority further enquired from learned counsel for complainants, whether complainants have taken physical possession of their units or not? To which, learned counsel for complainants replied that during complainant's visit at the site for inspection, respondent asked complainants to deposit further payment of ₹45,000/- each to respondent at the time of taking over of possession. Therefore, 2 cheques each

amounting to ₹45,000/- were given to respondent by the complainants. Out of which, one cheque issued by the complainant namely, Neelam is cleared. Furthermore, learned counsel for complainants submitted that occupation certificate granted to respondent is faulty as dimensions mentioned in the said occupation certificate are different from the actual dimensions of the booked unit. He further stated that respondent has also not submitted complete copy of reply as page no. 17 to 19 and proper receipts are missing in the copy of reply given by respondent to complainants.

4. On the other hand, learned counsel for respondent submitted that occupation certificate is correct and to clarify the same he will file a detailed application in the registry. He will also submit a complete copy of reply including receipts attached along with the said application. Moreover, respondent is trying to settle both the matters as everything is complete on the part of respondent. He further sought some time to place on record applications pertaining to terms of settlement on which both the parties will agree upon. Request is accepted.
5. Authority directed respondent to give physical possession to complainants subject to receivables and payables to be adjudicated later by the Authority. In case, full settlement arrives between the parties, both the




parties are directed to place on record terms of settlement within one week from uploading of the order.

6. Cases are adjourned to 05.02.2024.



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NADIM AKHTAR
[MEMBER]



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PARNEET SINGH SACHDEV
[CHAIRMAN]