



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 3134 OF 2019

Gloria Welfare Association Sec 80 Faridabad ...COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.RESPONDENT

2. COMPLAINT NO. 2617 OF 2019

Flat Buyers Welfare Association Gemini Grove Duplex ...COMPLAINANT

REGD Sector Eighty Faridabad

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.RESPONDENT

3. COMPLAINT NO. 3062 OF 2019

Flat Buyers Welfare Association Blue Solitaire
Tower-C ...COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.
& Sanjeev DhingraRESPONDENT

4. COMPLAINT NO. 2236 OF 2019

Vinay PanwarCOMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.RESPONDENT

5. COMPLAINT NO. 71 OF 2020

Tower E California Country Buyers AssociationCOMPLAINANT/S
Sector 80, Faridabad

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.
....RESPONDENT

6. COMPLAINT NO. 506 OF 2020

Tower D California Country Buyers AssociationCOMPLAINANT/S
Sector 80, Faridabad

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.RESPONDENT

7. COMPLAINT NO. 614 OF 2019

Leela Kanoi and Parmeswar L KanoiCOMPLAINANT/S

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.RESPONDENT

CORAM: Rajan Gupta Chairman

Dilbag Singh Sihag Member

Date of Hearing: 02.08.2022

Hearing: : 12th in COMPLAINT NO. 506 OF 2020

13th in COMPLAINT NO. 71 OF 2020

13th in COMPLAINT NO. 3134 OF 2019

14th in COMPLAINT NO. 3062 OF 2019

15th in COMPLAINT NO. 2617 OF 2019

16th in COMPLAINT NO. 2236 OF 2019

16th in COMPLAINT NO. 614 OF 2019

Present: - Mr. Shobit Phutela, Ld. Counsel for the Complainants through VC, along with Vinod Kumar Malik (General Secretary) for Complainant Association of Tower C (In Complaint No.3062 of 2019)

Mr. Shobit Phutela, Ld. Counsel for the Complainants through VC, along with Anand Jain (President) for Complainant Association of Tower G (in Complaint No. 2617 of 2019)

Mr. Shobit Phutela, Ld. Counsel for the Complainants through VC, along with Jagdish Ratra (President) and Mr. Pradeep Gera (Joint Secretary) for complainant Association for Tower E. (in Complaint No. 71 of 2020)

Mr. Deeraj Malik, Joint Secretary for the Complainant Association of Towe D. (in Complaint No. 506 of 2020).

Ms. Rupali S. Verma, ld. Counsel for Complainant Association of Gloria Tower F. (in Complaint No. 3134 of 2019)

Mr. Vinay Panwar, complainant in complaint no. 2236 of 2019

None for the complainant in Complaint No. 614 of 2019

None for the respondents.



ORDER (RAJAN GUPTA - CHAIRMAN)

1. Vide order dated 15.03.2022 Authority had handed over Tower 'Gemini Grove duplex' and Tower 'Blue Solitaire' to respective associations for completion of their towers at their own level. Detailed directions were given to the associations regarding mode of their functioning. Thereafter, Tower D of the project was handed over to the Flat Buyers Welfare Association of Tower - D vide order dated 18.05.2022. The association of Tower-D was also directed to strictly comply with guidelines and directions given in para-13 of the order dated 15.03.2022.
2. Today, an application dated 01.08.2022, received in the office of Authority on 02.08.2022, has been submitted by Flat Buyers Welfare Association of Solitaire tower-E. They have submitted that they also have complied with requirements of Authority and requested for handing over of Tower-E to the association for completion at their own level. The letter received from Association of Tower E is reproduced below:

"The association has completed all the requirements set forth by the Hon'ble Authority for the handover of Tower E of California Country Project, Sector 80, Faridabad to the Tower E California Country Buyers Association Sector 80, Faridabad. The details of the same are as follows:

- 1) Collection target set forth by the Honourable Authority for handover of the Tower to the Association has been exceeded:

Particulars	Rs. lakh
25% of internal work estimate of Tower E (A)	91.25
25% of the Tower E's share in the total external work estimate (B)	70.50
Total target collection to be met (A+B)	161.75
Amount actually collected by Association as on August 1, 2022	180.10

25% of the cost of the external development work is Rs. 70.5 lakh while 25% of the internal tower work is Rs. 91.25 lakh, taking the total required amount to Rs. 161.75 lakh, out of which the association has already collected 180.10 lakh as on August 1, 2022 in account number 102505003941 with ICICI Bank's branch in Tikona Park, NIT, 17-19, Ramneek Complex in Faridabad. Thus, the association has collected more than the required amount as per the architect estimate. Rs. 70.5 lakh out of this has been used to create the Fixed Deposit for common area work (kindly refer point 3 below). The bank account statement dated August 1, 2022 is attached herewith.

2) Membership: 80% of the total units of the Tower are represented in the association and 88% of the members have given the first tranche of contribution:

Total units being constructed in Tower E	76
Total members in the Association	61 (80% of the total units in the tower)
Members who have contributed	54 (88% of members and 71% of units in the tower)

The association has 61 members, representing 80% of the 76 flats in the Tower E. List of members is attached herewith. 54 members have given their contribution and 41 members have given their affidavits that they will pay the balance amount and the escalation amount to get the project completed.

3) Fixed deposit for external/common area work has been created: Fixed deposit No 102510005879 for 25% of the external work cost share of Tower E (Rs. 70.5 lakh) has been created on July 19, 2022 with the ICICI Bank's branch in Tikona Park, NIT, 17-19, Ramneek Complex in Faridabad and the Fixed Deposit Receipt is attached herewith. This fixed deposit amount is debited from above account of the association and commensurately the closing balance of the abovementioned bank account is Rs. 109.60 lakh

4) President's affidavit for common area work has been provided: The Governing Body of Tower E passed the resolution authorising Mr. Jagdish Ratra, the president of the society to submit an affidavit to this Hon'ble Authority ensuring that Association will pay its share of Rs. 2.82 crore towards the common area expenses. The solemnly affirmed affidavit by Mr. Ratra and the copy of the resolution dated January 15, 2020 passed by the Association are enclosed herewith.

5) Tendering of the work is in advanced stages: The association has engaged the services of Nivedita & Uday Pande Consultants as the architect and in pursuance thereof has published an advertisement in the English newspaper (Millennium Post) and Hindi newspaper (Dainik Savera Times) inviting bids for the contract work on July 16, 2022.

Three bids were received and the same were opened in the Annual General Meeting held on July 31, 2022, in terms of the directions passed by this Honourable Authority and the bid opening proceedings were fully video recorded. The bids have been submitted by SGN Universal Construction Company Pvt Ltd, AR Buildwell, and Chinar Promoters Private Limited. The association will now engage with the architect and the contractor(s) to negotiate and bring

down the bid price and the Association will inform this Hon'ble Authority regarding the L1 bidder selected for approval once the amount is finalised. The Minutes of the Meeting of the Annual General Meeting held on July 31, 2022, the architect certified estimate for internal and external work, newspaper notice inviting for bids, tender document, BOQ and drawings are attached herewith."

3. Authority after consideration decides to hand over Tower-E to the Association of Allottees. The association of Tower-E will strictly comply with guidelines and directions given in para-13 of the order dated 15.03.2022. They will also submit progress report in writing on next date of hearing.

4. Mr. Shobit Phutela, Id. counsel appearing for the Association of Gemini Grove tower and the Association of Blue Solitaire tower verbally stated that internal works of the towers have been started in full swing. He also made certain averments orally.

5. Authority observes that it has to meticulously record the progress made by various associations. Therefore, all the Associations who have taken over their towers should submit their progress report in writing on each date of hearing. Their report should be made part of the record of proceedings.

6. Shri Vinod Malik, president of Association of Blue Solitaire tower C apprised the Authority that DHBVN has refused to provide Electricity connection to the Association despite having made an application as per

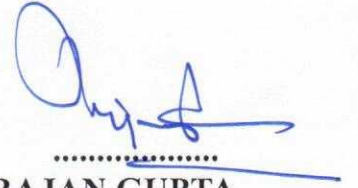
procedure and deposition of security amount. Similar concern was raised by Shri. Anand Jain, president of Association of Gemini Groove tower G and Shri Deeraj Malik, Joint Secretary of Association of Tower D. Authority observes that Association of allottees are working hard to complete their towers. They need full support of State Government authorities. It is their lawful right which can also be enforced by the Authority as a decree of Civil Court. Accordingly, Authority directs Superintending Engineer and Xen concerned to take immediate action on the applications filed for release of power connections.

7. Ms. Rupali S. Verma, learned counsel for the Association of Gloria Tower F submitted that allottees of this tower have paid nearly 90% of consideration amount to the promoter. The money paid by allottees of Tower F has been invested in other towers. Now the Association of other Towers should be obliged to contribute for completion of Tower-F also. She further stated that out of 135 allottees 91 have joined the Association and they have collected an amount of Rs. 90 lacs.

Authority observes that learned counsel had made similar request during the hearing dated 18.05.2022 and Authority had passed a detailed order in regard to her request in para 7 of the order. Authority reiterates its views expressed earlier.

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8. Case is adjourned to 19.10.2022.



RAJAN GUPTA
[CHAIRMAN]



DILBAG SINGH SIHAG
[MEMBER]

