



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 2617 of 2019

Flat Buyers Welfare Association Gemini Grove

Duplex REGD Sector Eighty, Faridabad

....COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

2. COMPLAINT NO. 3062 of 2019

Flat Buyers Welfare Association Blue

Solitaire Tower C

....COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

3. COMPLAINT NO. 3134 of 2019

Gloria Welfare Association

....COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

4. COMPLAINT NO. 506 of 2020

Flat Buyers Welfare Association

Solitaire Tower D

....COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

5. COMPLAINT NO. 71 of 2020

Tower E California Country Buyers

AssociationSector Eighty Faridabad

....COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

6. COMPLAINT NO. 2169of 2023

Dhingra Jardine Suburbian Resident

Welfare Association

....COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

CORAM:

Parneet S Sachdev

Chairman

NadimAkhtar

Member

Dr. GeetaRathee Singh

Member

ChanderShekhar

Member

Date of Hearing: 08.08.2024

Hearing: 5th in Complaint no. 2617 of 2023

23rd in Complaint no. 2169 of 2019



22nd in Complaint no. 3062 of 2019

21st in Complaint no. 3134 of 2019

19th in Complaint no. 506 of 2020

20th in Complaint no. 71 of 2020

Present: Adv. Shobhit Phutela, counsel for Federation in all complaints.

Adv. Rupali S. Verma, counsel for complainant in complaint no. 3134 of 2019

None for respondent

ORDER (PARNEET S SACHDEV -CHAIRMAN)

1. Relevant part of the earlier order dated 22.07.2024 is reproduced below:

2.Today, Adv. Rupali S. Verma appeared on behalf of Gloria Tower association in Complaint No. 3134 of 2019 and stated that, as per order dated 19.12.2021, a direction was passed by the Hon'ble Authority, wherein the Hon'ble Authority initially granted Gloria Tower Association the authority to sell unsold inventory, as it was the least constructed tower at that time. However, a subsequent direction was passed by the Authority stating that, since it is a federation completing all the construction and development works in the project, all decisions regarding the unsold inventory must be made by the Federation. Further, in the last meeting of the federation on 02.06.2024, it was decided and recorded in the meeting minutes, that each tower association will consult their allottees/buyers regarding the unsold inventory. Additionally, it was submitted that as per the DTCP report, Gloria Tower association remains the least constructed tower. Ld. Counsel for Gloria Tower association prays to the Hon'ble Authority that, since there are 34 unsold flats in the project, the said unsold inventory be handed over to the Gloria Tower Association for



the purpose of selling them, so that the said association does not face any shortage of funds.

3. On the other hand, Mr. Shobhit Phutela learned counsel appearing on behalf of associations submitted that specific directions were issued to the federation by the Authority in the last order. He seeks some more time to comply with these directions. Furthermore, he seeks some time to submit minutes of the meeting held between the association as well as the status report demonstrating the progress made by the federation in construction of the tower.

4. Authority directs federation to comply with the earlier directions issued by the Authority on the last date of hearing. Further, federation is directed to submit the minutes of meeting held on 02.06.2024, along with the status report showing recent developments and progress in the project within two weeks from today.

2. Today, Sh. Shobhit Phutela appeared on behalf of associations and stated that he sought time more time to comply with the directions issued by the Authority on 22.07.2024 and 18.01.2024. He further submitted that the delay in compliance is attributed to a difference of opinion among the associations.
3. Firstly, with respect to the estimate for the external works, the initial cost was assessed at ₹14 crores. However, following the appointment of a new architect, the estimated cost of the external works has been revised to ₹28 crores. This substantial increase in the estimated cost has led to a divergence of opinion among the associations.



4. Secondly, with respect to the unsold inventory, a meeting was convened on 28th July 2024, during which two options were presented to the associations. Option 1 proposed that each association contributes a proportionate share, which would then be allocated to a common pool. Option 2 proposed that each tower retains its own unsold inventory to be utilized for the construction and development of their respective towers. Following this, a vote was conducted. Out of the six associations, four associations—namely, Flat Buyers Welfare Association Blue Solitaire Tower C, Flat Buyers Welfare Association Solitaire Tower D, Tower E California Country Buyers Association Sector Eighty Faridabad, and Gloria Welfare Association—voted in favor of Option 2. The remaining two associations—Dhingra Jardine Suburban Resident Welfare Association and Flat Buyers Welfare Association Gemini Grove Duplex REGD Sector Eighty, Faridabad—voted in favor of Option 1. He further submitted that certain grievances remain unresolved among the associations.
5. The Authority inquired from the learned counsel appearing on behalf of the association regarding the estimated cost that would be incurred for the construction and development of internal works. In response, he submitted



- that the federation is undertaking the construction and development work solely with respect to the external works.
6. Furthermore, Advocate Rupali Verma, appearing on behalf of Gloria Association, requested the Authority to direct that the inventory be handed over to Gloria Association so that the internal works could be undertaken by the members of the association, while the federation may continue with the external works concurrently. She informed the Authority that, as per the order dated 9th December 2021 issued by the Authority, the total cost of external and internal works and the total collections made by the association were specified, which clearly indicated that Gloria Tower Association had already collected 90-95% of the amounts from its members. However, the unit was only 25% complete. In light of the same, the Authority had previously directed that the inventory be handed over to Gloria Association to enable it to reach parity with the other associations. She further submitted that Gloria Association is currently facing a shortage of funds, making it difficult to proceed with the construction work in Gloria Tower.
 7. Mr. V.K. Dhoot, the representative of the Flat Buyers Welfare Association Blue Solitaire Tower C, stated that according to the report submitted by DTGP, the construction and development work of Tower C and the Gloria

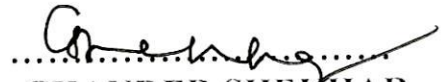


- Association were at the same stage when the projects were handed over to the respective associations.
8. Furthermore, the learned counsel for the associations sought some more time to place on record the minutes of the meeting held among the associations. He also sought further time to arrive at a meaningful conclusion regarding the construction of the remaining works across the different associations.
 9. The Authority hereby directs the federation to submit a detailed methodology outlining the manner in which the work will be undertaken by the associations concerning both the external and internal works. The methodology should comprehensively address the scope of work, allocation of responsibilities, timelines, cost estimates, and any other relevant details to ensure clarity and coordination among all associations involved. Further, the Authority is of the view that the associations shall prepare a detailed plan, outlining the manner in which the project will be completed, including a timeline for the completion of the construction work, while considering all relevant facts and figures. The associations are further directed to submit a report on the current status of the development work of the project to the registry. Additionally, the Authority directs each respective association to provide data concerning the unsold and unclaimed inventory to the federation. The federation is then



required to consolidate this data and submit the same to the registry before the next date of hearing.

10. Cases are adjourned to 24.10.2024.


CHANDER SHEKHAR
[MEMBER]


DR. GEETA RATHEE SINGH
[MEMBER]


NADIM AKHTAR
[MEMBER]


PARNEET S SACHDEV
[CHAIRMAN]