



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

Association Sector Eighty Faridabad

....COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

6. COMPLAINT NO. 2169 of 2023

Dhingra Jardine Suburbian Resident

Welfare Association

....COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

CORAM: Parneet Singh Sachdev Chairman

Nadim Akhtar Member

Chander Shekhar Member

Date of Hearing: 11.07.2024

Hearing: 4th in Complaint no. 2617 of 2023

22nd in Complaint no. 2169 of 2019

21st in Complaint no. 3062 of 2019

20th in Complaint no. 3134 of 2019



18th in Complaint no. 506 of 2020

19th 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 last order dated 04.04.2024 is reproduced below:

1. Relevant part of last order dated 18.01.2024 is reproduced below:

“6. Authority deems it appropriate to handover the Suburbian Floors to Suburbian Resident Welfare Association for internal works. The association shall comply with the previous directions issued by Authority in respect of the handover of respective towers. Suburbian Resident Welfare Association is further granted permission to become a part of the Federation in the name of “RWA of California Country, Sector 80, Faridabad” for carrying out external services. The Federation will expedite recovery of the amount from the members/allottees to complete external development works at the site. Further, the Federation shall submit a detailed report in regard to the details of amount collected from respective association-members and status and action plan for completion of external works in the registry latest by 01.03.2024.

7. With regard to the request of Mr. Anil Chopra, Gloria Welfare Association, Authority prima facie observes that it cannot allow handover of unsold inventory to any respective association at this point of time. All the

associations are directed to discuss the issue regarding unsold inventory and proportionate share of funds from respective member-associations in a meeting of the Federation and apprise the Authority of their decision on next date. Thereafter, Authority shall deem it appropriate to record any observation in this regard.”

2. *Today, Adv. Shobhit Phutela appeared on behalf of Association and sought some more time to convene a joint meeting of associations so that information with regard to the name of allottees, their unit details, information regarding inventories etc. could be gathered. He further stated that with regard to progress report of external work for the common area project, an application dated 04.03.2024 was filed in the registry wherein, it was stated:*
 - a. *That six associations formed the one registered Federation namely “RWA of California Country, Sector-80, Faridabad”.*
 - b. *That Federation’s bank account has been opened in the ICICI Bank where they have started collecting initial amount of ₹2,00,000/- from six associations for the project’s external common work and to meet administrative expenses.*
 - c. *That closed bid was arranged through an architect for external work of common area but lowest bidders were not accepted. Therefore, procedure for new bid was initiated as per HRERA guidelines.*
 - d. *That association is arranging and calling for new tender for civil and electric work by giving advertisement in newspaper.*
 - e. *That six associations have assured the Federation to contribute 25% of external cost as directed by the Authority, the same will be collected before award of external work.*
3. *Furthermore, Mr. Shobhit Phutela learned counsel appearing on behalf of associations verbally submitted that the associations are facing some problems while completing the project. Firstly, the associations submitted an application for grant of permanent electricity connection from the Department of UHBVN. However, the said application was rejected by the Department on the ground that the same is not filed by the promoter but the associations itself. It is therefore requested that the direction*



maybe given to the department of UHBVN that they should consider the application which is filed by the associations.

- 4. Secondly, there are few allottees, who are not making timely payments to the associations. Therefore, a direction should be issued to the allottees to adhere to what association is demanding. Thirdly, there arises an issue w.r.t bank loans as Banks are reluctant to support allottees seeking home loans. It is therefore requested by the associations that some form of validation or recognition be granted to the associations, enabling banks to extend loans to the allottees.*
- 5. On the other hand, Adv. Rupali S. Verma appeared on behalf of Gloria Tower association in Complaint No. 3134 of 2019 stated that application dated 26.09.2023 is pending for adjudication before the Authority wherein, it is requested by the association to hand over unsold inventory to the Gloria Tower association. With regard to the same, Authority is of the view Gloria Tower association is a part of a Federation, therefore, all decisions concerning the unsold inventory must be made by the Federation itself.*
- 6. Keeping in view the aforesaid submissions, Authority deems fit to direct learned counsel for the associations to submit an application in writing providing comprehensive details regarding the challenges encountered by the Federation in completing the project. In respect of non-paying allottees and unsold inventory, a joint meeting be conducted by all associations and mutually resolve these issues with regard to the project, as at the present stage unsold inventory cannot be given to only one association. Minutes of said meeting be submitted alongwith latest status report within 2 weeks before the next date of hearing.*

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.
5. Cases are adjourned to **08.08.2024**.


.....
CHANDER SHEKHAR
[MEMBER]


.....
NADIM AKHTAR
[MEMBER]


.....
PARNEET SINGH SACHDEV
[CHAIRMAN]