



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 Panwar

....COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

5. COMPLAINT NO. 71 OF 2020

Tower E California Country Buyers Association
Sector 80, Faridabad

....COMPLAINANT/S

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

6. COMPLAINT NO. 506 OF 2020

Tower D California Country Buyers Association
Sector 80, Faridabad

....COMPLAINANT/S

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

7. COMPLAINT NO. 614 OF 2019

Leela Kanoi and Parmeswar L Kanoi

....COMPLAINANT/S

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

CORAM: Rajan Gupta

Chairman

Dilbag Singh Sihag

Member



Date of Hearing: 18.05.2022

Hearing: : 11th in COMPLAINT NO. 506 OF 2020

12th in COMPLAINT NO. 71 OF 2020

12th in COMPLAINT NO. 3134 OF 2019

13th in COMPLAINT NO. 3062 OF 2019

14th in COMPLAINT NO. 2617 OF 2019

15th in COMPLAINT NO. 2236 OF 2019

15th 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 (in Complaint No. 2617 of 2019)

Mr. Rakesh Hooda, President for the Complainant Association of Tower 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. Pradeep Gera, president of Association for Tower E. (in Complaint No. 71 of 2020)

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

None for the complainant in Complaint No. 614 of 2019

Mr. Vivek Sethi, Ld. Counsel for Mr. Sanjeev Dhingra,
shareholder of Dhingra Jardine Infrastructure Pvt. Ltd.

ORDER (RAJAN GUPTA - CHAIRMAN)

1. Vide order dated 15.3.2022 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.
2. Today a compliance report dated 16.5.2022 has been submitted by Flat Buyers Welfare Association of Gemini Grove tower. The association has submitted detailed information regarding action taken by them. The information so submitted is taken on record.
3. The compliance report dated 10.05.2022 submitted by the association of Blue Solitaire tower which was received on 19.05.2022 by the Authority, is also taken on record.
4. An application dated 03.05.2022 received in the office of Authority on 9.5.2022 has been submitted by Flat Buyers Welfare Association Solitaire tower-D. They have submitted that they have complied with requirements of



Authority. They also requested for handing over of Tower-D to the association for completion at their own level. The letter received from Association of Tower D is reproduced below:

- “1. Letter ref no. NUPC/CC/FARIDABAD/04/22/42 dt. 29/04/2022 from our appointed architect M/s Nivedita & Uday Pande Consultants stating all procedures and regulations were followed from advertisement in newspaper for BOQ of tower-D internal work, collection of bids from potential contractors, opening bids in GBM of tower D held on March 06,2022 at site, Dhingra Jardine project, Sector-80, Faridabad to evaluating the bids and finding L1 M/s SGN Universal Construction Co Pvt Ltd and eligible contractors as per your directions.
2. L1 bidder M/S SGN Universal Construction Co Pvt Ltd quote is INR 2,72,40,807//.
3. Enclosed are the MOM copy and photos for your ready reference for opening of received bids in GBM.
4. For Common Area Amenities fund we have acct no. 10063900877 in IDFC FIRST BANK LTD, and herein we have made the Fixed deposit of INR 70// lakhs as per your direction and the duly attested copy of FD from bank is enclosed herewith for your reference. This money is exclusively for the Common external amenities and shall be used as per your direction.
5. For Internal work of Tower D we opened escrow account with IDFC FIRST Bank Ltd acct no. 10084630780 where we have acct balance of INR 69,19,091/- seventy nine lakhs nineteen thousand ninety one only). as on 04/05/2022
6. The total fund collected by tower Dis INR 139,19,091/- (one crore thirty nine lakhs nineteen thousand ninety one only) against the target of INR 120.75 lakhs.

We hereby meet the target assigned by your goodself and request to handover the possession of Tower D to the association called “FLAT



BUYERS WELFARE ASSOCIATION SOLITAIRE TOWER D
FARIDABAD (REGD-02064)”. ”

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

6. Shri Pradeep Gera, President of the association of Tower-E was personally present, and sought guidance of Authority as to how to move further for completion of their tower. Authority asked him to go through various orders passed by Authority and submit compliance as has been done by association of tower-D. Their request for taking over of tower for completion at their own level will be considered there-after.

7. Ms. Rupali S. Verma, learned counsel for association of Gloria Tower-F submitted that allottees of their tower have paid nearly 85% of consideration amount to the promoter. The money paid by allottees of tower-F has been used for construction of other towers. She requested that since their money may have been used in completing other towers, appropriate decision should be taken for completion of tower-F also.

In regards to submissions made by Ms. Rupali S. Verma, ld. counsel Authority observes that rights of each association in respect of completing their own building are being determined through agreements executed by respective allottees with the promoter. The allottees of each association have



a right to demand completion of towers from respondents. Allottees of all towers are duty bound to fulfil their obligation stipulated under the Builder-Buyer-agreement. Rights of various associations of towers thereof have to be determined independently. Each association is entitled to get their apartments completed. The association of Tower-F can seek redressal of their grievance from the promoter and not directly from associations of other towers. However, if any money or inventory remain surplus after handing over of possession of completed apartments to allottees of respective associations, such surplus money could be considered for deployment for completion of tower-F. As such, Authority is unable to agree with the request made by learned counsel Ms Rupali S. Verma. The associations of other towers have no direct obligation towards allottees of Tower F.

8. Case is adjourned to 02.08.2022.



RAJAN GUPTA
[CHAIRMAN]



DILBAG SINGH SIHAG
[MEMBER]