



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

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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. 2169 of 2023

Dhingra Jardine Suburban Resident

Welfare Association

....COMPLAINANT

VERSUS

Dhingra Jardine Infrastructure Pvt. Ltd.

....RESPONDENT

CORAM:

Parneet S Sachdev

Chairman

Dr. Geeta Rathee Singh

Member

Chander Shekhar

Member

Date of Hearing: 24.10.2024

Hearing: 6th in Complaint no. 2617 of 2023

24th in Complaint no. 2169 of 2019

23rd in Complaint no. 3062 of 2019



22nd in Complaint no. 3134 of 2019

20th in Complaint no. 506 of 2020

21st in Complaint no. 71 of 2020

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

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:

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.

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.

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.

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.

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.

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.

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.

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."

2. Today, Sh. Shobhit Phutela appeared on behalf of associations/federation and referred to written submissions filed by federation in registry on 21.10.2024 stating that budget of external works has been elevated from 14.5 crores to 30 crores. Initially all the associations were ready to bear the expenses of their respective towers but Tower-F Gloria association is facing problem of financial crunch at a level that they are not ready to release funds for external services. In respect of unsold inventory, he stated that approximately 32-24 flats are available in total. Said flats can be used for raising funds only when



the project inclusive of all towers common areas and services are lying complete, till then each association has to meet up the requisite funds from on their own.

3. Adv. Rupali Verma appearing on behalf of Gloria Association has stated that internal work of tower F is still pending and in order to complete the minimum unit for living, i.e. one room and one bathroom, an amount of Rs 6-7 crores is required. Fact remains that structure work of the tower was not completed at the time of taking over of tower for completion by the association, whereas 85% amount was paid by the allottees. She stated that at present, Gloria association is not ready to bear the burden of external services, because they need to complete the internal work and facilitate the allottees to start living there. Only then can the scope of external work can be decided. She affirmed that the association is not running away from its obligations, the only fact is that currently budget/finance does not allow to invest money in external work. Association is facing financial crunch in a way that they have only a budget for continuing construction for next 2 months only. There is no source available with them to pay for the external work. Their request is to let them first complete the internal work and not to force them to pay for external works.



4. Keeping in view the aforesaid submissions, Authority is of view that the unsold inventory of about 32-34 flats can be used for completion of project but said flats cannot be sold at present in a the current unfinished state; firstly the apartments have to be completed then only funds can be procured after selling of unsold inventory. Tower wise detail of unsold inventory has been provided in written submission which is as follows:-

Sr. No.	Name of Tower/Association	No. of Flats-Unsold inventory
1.	Tower-Suburbian	01
2	Tower-G Gemini	02
3	Tower-C	05
4.	Tower-D	05
5.	Tower-E	06
6.	Tower-F Gloria	10-12
*Inventory numbers are subject to change as few buyers are yet to join association and claim the inventory.		

5. In respect of unsold inventory, federation has not come up with a clear decision/conclusion. Further, in respect of expenditure of external works, Authority is of the view that the external works also need to be completed. The federation requires a budget of ₹30 crores for that. As on date, each association except Gloria is ready and willing to move forward for external works. In this regard, Authority directs that federation to provide break up of



Rs 30 crores tower wise, as to how much each association/allottee of each tower has to pay. Gloria may put up its problem before meeting of federation and if possible, federation may consider taking amount from Gloria association towards external services at the end i.e once Gloria finishes the internal works for its towers. Federation is again directed to conduct a meeting to resolve the plan of completing external works and internal works of Gloria and try to come to an agreement of all associations upon the issues.

6. Cases are adjourned to 06.02.2025.


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CHANDER SHEKHAR
[MEMBER]


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DR. GEETA RATHEE SINGH
[MEMBER]


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PARNEET S SACHDEV
[CHAIRMAN]