



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

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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: Dr. Geeta Rathee Singh Member

Nadim Akhtar Member

Date of Hearing: 29.03.2023

Hearing: : 14th in COMPLAINT NO. 506 OF 2020

15th in COMPLAINT NO. 71 OF 2020

15th in COMPLAINT NO. 3134 OF 2019

16th in COMPLAINT NO. 3062 OF 2019

17th in COMPLAINT NO. 2617 OF 2019

18th in COMPLAINT NO. 2236 OF 2019

Geeta Rathee

18th in COMPLAINT NO. 614 OF 2019

Present: - Mr. Shobit Phutela, Ld. Counsel for the Complainants through VC, for of Tower C (In Complaint No.3062 of 2019)

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

Mr. Shobit Phutela, Ld. Counsel for the Complainants through VC, for complainant Association for Tower E (in Complaint No. 71 of 2020)

Mr. Shobit Phutela, Ld. Counsel for the Complainants through VC for the Complainant Association of Tower D (in Complaint No. 506 of 2020)

Mr. Shekhar Verma, Id. Counsel for Complainant Association of Gloria Tower F (in Complaint No. 3134 of 2019)

None for the complainant in complaint no. 2236 of 2019

None for the complainant in Complaint No. 614 of 2019

ORDER (DR GEETA RATHEE SINGH- MEMBER)

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

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vide order dated 18.05.2022. Tower E was handed over to the Flat Buyers Welfare Association of Tower - E vide order 02.08.2022. The associations of Tower-D and Tower E were also directed to strictly comply with guidelines and directions given in para-13 of the order dated 15.03.2022.

2. An application dated 28.03.2023 by the Gloria Welfare Association for tower F has been received in the office of Authority wherein it is submitted that they have complied with requirements of Authority and requesting for handing over of Tower-F to the association for completion of the remaining development works at their own level. The letter received from Association of Tower-F is reproduced below:

“This has reference to Hon'ble HRERA Order dated 09/12/2021 in Complaint no. 3134 of 2019 and is versus Dhingra Jardine Infrastructure Pvt. Ltd wherein it was decided below vide para 6(1) of the Order:

“The Association of Gloria Tower should call only Rs 160 lacs for both purposes instead of Rs. 228 25 lacs, whereafter. Tower-F will be handed over to them. Deficit of funds for completion of this Tower will be allowed to be bridged by way of sale of unsold inventory of the Point Further decision in their same will be taken in due course of time.”

The allottees of Tower F are aggrieved of the course of action as regards segregation of sociations and sling up of the entire project area and in this regard, an appeal (A-424- 2022) is pending before the Hon'ble Tribunal. In the mean time since the allottees are suffering due to delay in completion of their tower and the project, therefore, without prejudice to their rights in the pending appeal and the stand taken before this Hon'ble Authority, the allottees of Tower F have made contributions to the extent of 160 lacs and the same has been deposited in the designated bank account of the applicant.

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It is, therefore requested that the Gloria Tower-F may please be handed over to the Gloria (Buyers), Welfare Association as per the order cited above.

3. Advocate Mr. Shekhar Verma appearing on behalf of the Gloria Tower F stated that they have duly complied with the directions issued by the Authority under para 6(1) vide order 09.12.2021. Therefore, the external completion works should now be handed over to the association. He further stated that they have no objection on being the part of the federation formed by the association of towers D, C, E and G.

4. Learned counsel Mr. Shobit Phutela appearing on behalf of tower-E stated he has fulfilled certain directions given vide order 20.12.2022. In compliance of the order dated 20.12.2022, he has submitted a compliance report on 24.03.2023 which is reproduced below:

"Subject: Compliance to directives of HRERA order dated 2012-2022- Request permission allow start of external com services work in California Country Sector-40, Faridabad (Haryana)

Ref: Hon'ble HRERA order 20.12.2012 against complaint Nos 2017 (Flat Buyer Welfare Association Gemini Grove Duplex) 3863 (Flat Buyer Welfare Association Blue solitaire Tower-C) of 2019 and 506 (Tower-D California Country Buyer Association) & 71 (Temer E California Country Boyers Association) of 2020

This has reference to HRERA hearing dated 20.12.2022 on above referred cases. As directed by Hon'ble HRERA authority vide order dated 25.01.2023, following is submitted for your kind perusal, further directions and record please.

1. Formation of Federation of Association

As directed, a Federation of Associations covering above referred associations namely Flat Buyer Welfare Association-Gemini Grove Duplex. Flat Buyer Welfare Association Blue litaire Tower-C. Tower-D Califomia Country Buyer Association) & Tower-E California Country Buyers Association have formed in the name and style of Rof California

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Country, Sectie-40, Faridabad (Haryana). The same has also been registered with Registrar of Society, Faridabad vide registration No. 2043 dated 27.2.2023. Copy of the registration certificate is attached herewith for kind information

2. Preparation of Estimates for expenses with escalation for common external works

As per directive of Hon'ble HRERA vide its' order dated 23.12.2020 an estimate of Rs.14.32 crores were submitted to Hon'ble HRERA Authority with break-up of share of each of the associations for the whole project. Our appointed architect for the project has updated the estimates as on date and the same stands as Rs. 15.26 Crore

Break-up of the revised estimates for each of the associations is as follows:

Sr. No.	Block	No. of Floors	No. of Building	Total units	Cost of external services
1	Suburban Floor	G+3	21	160	2,10,09,479/-
2	Tower C	B+S+19	1	95	3,36,06,832/-
3	Tower D	B+S+19	1	76	3,00,24,787/-
4	Tower E	B+S+19	1	76	3,00,24,787/-
5	Tower F	S+19	1	152	1,75,46,898/-
6	Tower G1 to G8 (Gemini Groove)	G+7	8	128	2,03,92,139-
				687	15,26,04,922/-

3. Schedule of Payment towards Common External works and Schedule of Development Works

All the four registered associations have already collected 25% of earlier estimated cost of common external services works (Rs.14.32 crores) as per the curlier directive of Hon'ble HRERA It is proposed to collect balance cost as per revised estimates. contracted cost upon award of work post approval by Hon'ble HRERA Authority, in three installments @25% each by June 2023, Sept 2023 and Dec 2023. The works are scheduled for completion by March 2024

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In this regard, we would like to submit for kind information of Hon'ble HRERA Authority that tender for common external works was floated way back in end of 2021. To save on the time and expense, we requested our architect to explore the possibility of obtaining revalidated bids from the earlier bidders. Architect has got the revised revalidated bids from the existing bidders and following bids received in architect office in sealed covers:

For External Development Work including Sewage. Drainage, Water Supply & Fire Fighting Services: Three (3) bids

For External Development Works-Electrical and HVAC: Four (04) bids

Once we receive the directive of Hon'ble HRERA about carrying out external common services works, these bids would be opened in General Body Meeting of Federation of Associations. After evaluation of receipted bids by our architect, we shall seek guidance of Hon'ble HRERA for award work. The external common services works are scheduled for completion by March 2024

We would kindly submit for the information of Hon'ble HRERA Authority that, we are in the process of opening two bank accounts as follow:

- 1. Account A for administrative expenses of the Federation of Associations,*
- 2. Account B. five construction expenses of external common services"*

He further stated that bids including sewerage, electricity are pending before the Architect and these bids cannot be open without the directions of the Authority Secondly, he stated that the effective compliance of the direction no. 8 issued by this Authority in order dated 09.12.2021 cannot be done without bringing Suburban floor association into picture. Therefore, he prayed for certain directions be issued by this Authority.

1. To direct the associations of tower F, Suburban floor to join the federation and hold a general body meeting.

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2. To direct Suburbian floor association to give their share towards the external services.

5. Mr. Kapil Banga, general secretary of Tower E stated that all directions issued by the Authority vide its order dated 20.12.2022 have been complied with and an apex body has also been formed. He further stated that they have approached the Suburbian Floor association and Gloria tower to join the already formed apex body. Pursuantly, two meetings had already been conducted with Suburbian Floor association and now they are in the process of conducting the next meeting with the association.

6. Considering the submissions and documents placed on record, Authority observes and directs as under:

- i. To hand over Tower-F to the association of allottees i.e. for completion of the remaining development works. The association of Tower-F will strictly comply with guidelines and directions given in para-13 of the order dated 15.02.2022. The association will also submit progress report in writing by the next date of hearing.
- ii. Registered associations of all the towers to form a federation and to hold a general body meeting. In order to ensure transparency, the bids for completion of external development works be opened in this general body meeting. This general body meeting shall be conducted on 23.04.2023.

complaint no. 3134,2617,3062,2236,614 of 2019 and 71, 506 of 2020

7. Case is adjourned to 01.06.2023.

Geeta Rathee

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Dr GEETA RATHEE SINGH
[MEMBER]

Nadim Akhtar

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NADIM AKHTAR
[MEMBER]

