



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 3117 OF 2019

Sunita Santhosham

....COMPLAINANT

VERSUS

Avalon Projects & Anr.

....RESPONDENTS

CORAM: Dr. Geeta Rathee Singh
Nadim Akhtar

Member
Member

Date of Hearing: 08.11.2023

Hearing: 8th

Present: - Sh. Anuj Chauhan Advocate, counsel for the complainant through VC

Sh. Sunny Tyaggi Advocate, proxy counsel for the respondents through VC

ORDER (DR. GEETA RATHEE SINGH - MEMBER)

1. As per last order dated 19.07.2023, an opportunity was granted to respondent to settle the matter amicably if possible. Counsel for complainant stated that if respondent would offer the possession of the unit to complainant within three months, only then, complainant will take possession failing which complainant will press for the original relief of refund as prayed in the captioned complaint.
2. Today, Sh. Anuj Chauhan Advocate, counsel for the complainant made statement that respondent had not offered possession to the complainant till date, therefore, matter be heard on merits and be decided as complainant has pressed for relief of refund.
3. Sh. Sunny Tyaggi Advocate, proxy counsel for the respondent sought pass over as arguing counsel Sh. Hemant Saini is busy before Hon'ble Punjab & Haryana High Court but proxy counsel has failed to provide the details of the case listed before Punjab & Haryana Hon'ble High Court.
4. After hearing both parties and going through records, Authority observes that today is the 8th hearing in the matter and respondent neither had settled the matter nor has filed the reply on merits till date. Since these are summary proceedings and several opportunities have already been granted to the respondent to either settle or file reply on merits but

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respondent took no hide to do any of the case. Therefore, defence of respondent to file reply is struck off.

5. Perusal of file reveals that complainant has not filed complete receipts of the paid amounts. Therefore, complainant is directed to file an affidavit stating therein the exact amounts and dates on which the said amounts were paid by the complainant to the respondent, which should be duly supported by bank statement. Said documents be filed in the registry within a period of three weeks with an advance copy supplied to the opposite parties.
6. Respondent is directed to pay earlier imposed cost of ₹ 10,000/- payable to Authority and ₹ 2000/- payable to complainant well before next date of hearing.
7. Case is adjourned to **19.12.2023** for final arguments.


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NADIM AKHTAR
[MEMBER]


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DR. GEETA RATHEE SINGH
[MEMBER]