



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 3117 OF 2019

Sunita Santhosham

....COMPLAINANT

VERSUS

Avalon Projects

....RESPONDENT

CORAM: Dr. Geeta Rathee Singh
Nadim Akhtar

Member
Member

Date of Hearing: 19.07.2023

Hearing: 7th

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

Sh. Hemant Saini Advocate, counsel for the respondent

Geeta Rathee

ORDER (DR. GEETA RATHEE SINGH - MEMBER)

1. Case was fixed for filing reply subject to payment of cost of ₹ 10,000/- payable to the Authority and ₹ 2000/- payable to the complainant. As per office record no reply has been filed till date.
2. Advocate Sh. Anuj Chauhan, counsel for complainant stated that as per last order respondent has neither filed reply nor has paid the earlier imposed cost till date. Therefore, learned counsel for complainant prayed that defence of the respondent be struck off and matter to be heard and relief of refund be granted to the complainant.
3. Advocate Sh. Hemant Saini, counsel for respondent sought short adjournment for filing reply with already imposed cost. Further, he apprised the Authority that project in question is already complete and occupation certificate for the same has already been applied with the concerned department. As on today 95% of the work at site is complete. Therefore, he prayed not to allow the relief of refund at this stage as the same would jeopardise project and many other allottees who are residing in the said project will suffer. Furthermore, learned counsel for respondent prayed for time to settle the matter with the complainant.
4. After hearing both parties, Authority had gave some time to both the counsels to discuss with the complainant if there is any possibility to settle the matter. After an hour, both the counsels appeared and Sh. Hemant Saini, counsel for respondent has made statement that possession


Rathee

to the complainant will be handed over within next three months and same is also confirmed by counsel for complainant. However, counsel for complainant stated that the complainant is ready to accept the possession of the unit if the same is offered within next three months, however if the same is not offered within the stipulated time, then complainant will press for the original relief of refund as prayed in the captioned complaint.

5. Case is adjourned to **08.11.2023**.



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NADIM AKHTAR
[MEMBER]



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DR. GEETA RATHEE SINGH
[MEMBER]