



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

BEFORE THE ADJUDICATING OFFICER

Complaint No. 338 OF 2019

Hira Lal Jorwal

....COMPLAINANT(S)

VERSUS

M/s B.P.T.P Pvt Ltd

....RESPONDENT(S)

Date of hearing:- 18.11.2020 (14th hearing)

Present:- Mr. Rohan Gupta, Counsel for Complainant (through video conferencing).
Mr. Hemant Saini, Counsel for respondent.

ORDER:-

Case is fixed for final arguments.

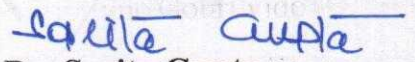
2. Complainant is seeking refund of paid amount alongwith interest. As per the Haryana Real Estate (Regulation and Development) Amendment Rules 2019, relief regarding refund matters in terms of Rule 28(2)(k) is to be dealt with by Haryana Real Estate Regulatory Authority. Said Rules were challenged before the Hon'ble Punjab and Haryana High Court, Chandigarh in Civil Writ Petition No. 38144 of 2018 titled as Experion Developers Pvt. Ltd. vs State of Haryana and others along with other writ petitions.

Saite Gupta

Hon'ble High Court of Punjab and Haryana vide its order dated 16.10.2020, observed that it is The Haryana Real Estate Regulatory Authority which has the power to examine and determine the outcome of complaint when it comes to refund of the amount and interest on the amount or directing payment of interest for delayed delivery of possession or penalty or interest thereon.

3. Presently, operation of order dated 16.10.2020 in CWP No. 38144 of 2018 titled as Experion Developers Pvt. Ltd. vs State of Haryana and others along with other writ petitions has been ordered to be stayed by Hon'ble Supreme Court vide order dated 05.11.2020 in SLP No. 13093 of 2020 titled as M/s Sana Realtors Pvt. Ltd. vs Union of India & Ors. and SLP No. 13238 – 13256 of 2020.

4. Case is therefore, adjourned 07.01.2021 to await the final decision in the aforementioned Special Leave Petition pending before the Hon'ble Supreme Court.


Dr. Sarita Gupta
[Adjudicating Officer]