



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 34 OF 2023

Ratana Mantoo & Ravinder Kumar ShahbadiCOMPLAINANT

Versus

TDI Infrastructure LtdRESPONDENT

CORAM:	Nadim Akhtar	Member
	Chander Shekhar	Member

Date of Hearing: 20.05.2024

Hearing: 5th

Present: Mr. Vikas Singh, Counsel for Complainant through VC.
Mr. Shubhnit, Counsel for the respondent through VC.

ORDER (NADIM AKHTAR-MEMBER)

1. Vide order dated 12.10.2023, Authority had observed as follows:-

“Ld. counsel for complainants sought time to file amended prayer clause as inadvertently relief pertaining to assured returns have been sought whereas it is not the issue in this case. His request has been accepted. Said application be filed within 3 weeks with an advance copy supplied to respondent.”

A perusal of complaint reveals that legal heir certificate of complainant Ratana Mantoo has not been placed on record and further proof of paid amount of Rs 37,92,555/- has not been attached in the file. Complainant is directed to file proper receipts/proof of payment mentioning therein dates of each payment alongwith legal heir certificate of complainant Ratana Mantoo."

2. As per office record, complainant has placed on record legal heir certificate of Ratana Mantoo, amended relief sought and statement of account for paid amount of Rs 37,95,705/- vide an application filed in registry on 19.04.2024.
3. Perusal of aforesaid application reveals that allottee Ratana Mantoo has two surviving legal heirs, i.e., two son, out of which one is co-allottee in this case Ravinder Kumar Shahbadi and another son is Ashwani Kumar Shahbadi. Present complaint has been filed for seeking refund of paid amount with interest but in whose favor, out of two legal heirs, said relief is sought not clarified in complaint. Moreover, second legal heir, i.e., Ashwani Kumar Shahbadi has neither been made party to complaint being legal heir of allottee nor any affidavit of his claim being given up qua unit in question in favor of Ravinder Kumar Shahbadi has been placed on record. Faced in this situation, Ld. counsel for complainant sought time to file proper power of attorney with better clarification in terms of two legal heirs. His request is accepted.



4. Complainant in his complaint claims to have paid an amount of Rs 37,92,555/- but proper receipt were not attached in support of it. Now as a proof of it, a statement of account is placed on record which is for Rs 37,95,705/-. Respondent is at liberty to file objections, if any against application file dby complainant in registry on 19.04.2024.
5. Complainant is directed to implead second legal heir Ashwani Kumar Shahbadi as necessary party to complaint and to file his power of attorney/affidavit for clarification of relief sought in favor of two legal heirs within next 3 weeks with an advance copy supplied to respondent.
6. Case is adjourned to 30.09.2024.


CHANDER SHEKHAR
[MEMBER]


NADIM AKHTAR
[MEMBER]