



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

## 1. COMPLAINT NO. 401 OF 2021

Satpal Kundal

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd(Aegis woods)

....RESPONDENT

**CORAM:**

**Nadim Akhtar**

**Member**

**Dr. Geeta Rathee Singh**

**Member**

**Chander Shekhar**

**Member**

**Date of Hearing:** 29.02.2024

**Hearing:** 16<sup>th</sup>

**Present: -**

Mr. Ramesh Vashishta, Counsel for the complainant through VC.

Mr. Neeraj Goel, Counsel for the respondent through VC.

### ORDER (NADIM AKHTAR-MEMBER)

1. On the last date of hearing, i.e., 08.02.2024 following order was passed:-

*"Ld. counsel for complainant stated that an affidavit for clarification of disputed payments has been filed in compliance of directions issued vide previous order. He requested that refund of paid amount with interest be awarded to complainant.*


*On perusal of affidavit, it is found that in respect of amount of Rs 11,000/- cash transaction, complainant has relied upon two emails dated 16.07.2018 and 08.08.2018, which as per version of complainant is annexed as Annexure C-14. In this regard, it is*


*observed that there is no such emails annexed with complaint as well as with said affidavit. Second, in respect of amount of Rs 1,73,328/- paid vide cheque no. 79691 complainant has relied upon bank statement which is annexed at page 4. In this regard, it is observed that said bank statement was annexed by complainant even in previous affidavit. Said bank statement do prove that cheque bearing no. 79691 got cleared but there is no proof of fact that said amount was paid to respondent Aegis Value Homes for allotment of unit. Copy of said cheque has not been placed on record. Complainant is again directed to clarify the disputed payments of Rs 11,000/- (cash) and Rs 1,73,328/- (cheque 79691)."*

2. Today, ld. counsel for complainant relied upon receipt annexed as Annexure C-1 at page no. 20 of complaint for proving that said amount was received by respondent. For another amount of Rs 1,73,328/- he sought time to place on record better documents. His request is accepted.
3. Ld. counsel for respondent stated that his client is interested in settlement of dispute with the complainant by making offer of alternate unit. So, time be granted for settlement.
4. In these circumstances, Authority observes that at the final stage of adjudication/arguments, plea of respondent of offering alternate unit does not deserves to be considered, however, respondent is at liberty to approach the complaint for out of court settlement. Further, on perusal of page no. 20 of complaint, it is found that a table of received amount bearing 2 entries is made and below that table a line is written 'Received application amount of Rs 11,000/-

' But no date is mentioned against it. Stamp and signature of respondent is of date 18.02.2014 on that document. In case, complainant is having any better document to rely upon for date of amount of Rs 11,000/- then he may file it, otherwise date of 18.02.2014 which is the admitted date by respondent will be taken for Rs 11,000/-. For another amount of Rs 1,73,328/- complainant is directed to place on record better documents before the next date of hearing.

5. Case is adjourned to 09.05.2024.

  
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CHANDER SHEKHAR  
[MEMBER]

  
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DR .GEETA RATHEE SINGH  
[MEMBER]

  
.....  
NADIM AKHTAR  
[MEMBER]