



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 408 OF 2022

SV Gupta HUF

....COMPLAINANT

Versus

1. HIGHTECH CONSTRUCTION CO. PVT.LTD.
2. SRS Retreat Services Pvt. Ltd
3. Vashisht Estates Ltd

.....RESPONDENTS

2. COMPLAINT NO. 465 OF 2022

Veena Gupta

....COMPLAINANT

Versus

1. HIGHTECH CONSTRUCTION CO. PVT.LTD
2. SRS Retreat Services Pvt. Ltd
3. Vashisht Estates Ltd.

.....RESPONDENTS

**CORAM: Dr. Geeta Rathee Singh
Nadim Akhtar**

**Member
Member**

Date of Hearing: 16.05.2023

Hearing: 5th (in both complaints)

Present: - Sh. S.V. Gupta, complainant in both complaints.

Sh.Neeraj Goel and Tarun Ranga, learned counsel for the respondents no. 1 and 3 in both complaints

None for respondent no.2

ORDER (NADIM AKHTAR - MEMBER)

1. Since both the complaints relate to the same project and same cause of action has arisen, both the complaints are taken up together. Complaint no. 408 of 2022 namely SV Gupta HUF. Versus Hightech Construction co. Pvt. Ltd., SRS Retreat Services Pvt. Ltd., Vashisht Estates Ltd. is taken up as lead case and facts are mentioned from the said complaint. Captioned complaint has been filed by SV Gupta against Hightech Construction Co. Pvt. Ltd, SRS Retreat Services Pvt. Ltd, Vashisht Estates Ltd. Avering that they were allotted Unit no. C1/05/AF87/504 in affordable housing project namely, SRS Hightech Affordable Homes situated in sector-87, Faridabad out of 5% quota of flats allocated to licensee company M/S SRS Retreat Services Ltd. In this regard, allotment letter dated 04.03.2016 has been annexed by the complainant in which flat no. 504, type C in tower no. C1 was allotted to complainant that was signed by authorized signatory of M/S SRS Retreat Service Ltd. After allotment of flat, vide receipt C-2, Rs. 19,000/- has been paid and vide another receipt dated 13.04.2016 Rs. 7,50,000/- were paid to the respondent no. 2. Allotment letter/ buyers's agreement dated 04.03.2016 was executed by Respondent no. 2.



2. On the other hand, Respondent no. 3 has filed reply, stating that in list of allottees supplied to them, name of the complainant was not mentioned. In para no. 5 of the reply, respondent no. 1 pleaded that booking amount of the allotment, as mentioned in the complaint and all other dealings have been entered between complainant and Respondent no. 2 and respondent no. 1 is not signatory of any document. Referring the said para no. 5, respondent no. 1 pleaded that he is not responsible for any dealings taken place between the complainant and respondent no. 2.
3. After hearing both parties, Authority directed respondent to place on record following documents as these are necessary for adjudication of the matters:
- i. Documents pertaining to arrangement between all the three respondents.
 - ii. List of unsold inventories of the respondent company in the project.
 - iii. Current status of the plots or units booked by the complainants
4. Notice issued to Anil Jindal, Director of SRS Real Estate Ltd., confined in Neemka jail, Sector 73, Faridabad Haryana, has been duly served. However, none has appeared on behalf of Respondent no. 2. No reply has been filed by Respondent no. 2 till date. Learned counsel for complainant submitted that Respondent no. 2 had refunded the excess amount of Rs. 665 vide letter dated 14.05.2016 meaning thereby, the amount of Rs. 7,50,000/- and 19,000/- were paid by the complainant to the respondent no. 2 and



allotment was made by respondent no. 2. He further submitted that Shri. Harpal Singh was the authorized signatory on behalf of respondent no. 1 and 2 as he was director of said respondent, and now he cannot run away from his liability towards the complainant. On the application of Respondent no. 1, name of the project was changed from Hightech Affordable Homes to Vashisht Heights by the Authority vide item no. 188.07 in the meeting held on 17.10.2022.

5. In view of the above position, respondent no. 2 and respondent no. 3 are directed to provide list of director of respondent no. 1 at relevant time and at the time of changing the name of the project in the name of respondent no. 3 and what were the liabilities owed by them with regard to the existing allottees in the project.
6. District Town Planner, Faridabad is directed to provide a certified list of successful allottees in the draw conducted for the purposed and the name of allottees to whom flats were allotted out of quota of the promoters in the project in question.
7. Adjourned to **03.08.2023**.



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DR. GEETA RATHEE SINGH
[MEMBER]



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NADIM AKHTAR
[MEMBER]