



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 507 OF 2023

Shivangi HatwalCOMPLAINANT

VERSUS

Vatika Ltd.(Mindscapes, Sector-27, Faridabad)RESPONDENT

2. COMPLAINT NO. 508 OF 2023

Aakash GumbeerCOMPLAINANT

VERSUS

Vatika Ltd.(Mindscapes, Sector-27, Faridabad)RESPONDENT

3. COMPLAINT NO. 614 OF 2023

Rajesh AroraCOMPLAINANT

VERSUS

Vatika Ltd.(Mindscapes, Sector-27, Faridabad)RESPONDENT

4. COMPLAINT NO. 615 OF 2023

Rajesh Arora & Sheena AroraCOMPLAINANT

VERSUS

Vatika Ltd.(Mindscapes, Sector-27, Faridabad)RESPONDENT

5. COMPLAINT NO. 616 OF 2023

Rajesh Arora & Sheena AroraCOMPLAINANT

VERSUS

Vatika Ltd.(Mindscapes, Sector-27, Faridabad)RESPONDENT

G. Arora

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

Date of Hearing: 22.11.2023

Hearing: 3rd in all cases

Present: - Mr. Amitabh Narayan, Counsel for the complainants in all complaints through VC.
 Ms. Vertika H. Singh, Counsel for the respondent through VC in all complaints.

ORDER (DR. GEETA RATHEE SINGH- MEMBER)

1. Captioned complaints pertains to same project-Mindscapes, Sector-27, Faridabad and tower-C of the respondent. Complainants in these complaints are seeking refund of the paid amount with interest and monthly assured return in terms of builder buyer agreement executed with the respondent.
2. Ld. Counsel for the complainants insisted upon the relief of refund and monthly assured return as prayed in complaints. On the other hand, ld. Counsel for respondent apprised the Authority that respondent-promoter has filed a petition before Hon'ble Punjab and Haryana, High Court vide *CWP No. 26740-2022 (O&M) titled as Vatika Ltd v. Union of India and Anr*, which is now listed for hearing on 20.03.2024, wherein the question relating to jurisdiction


Geeta Rathee

of this authority to decide the matters pertaining to assured returns is pending for adjudication.

3. Learned counsel for respondent further stated that judicial propriety demands that when the matter is under consideration before a higher Court, the lower courts, tribunals and authorities should refrain from passing any further order and should wait for the outcome of the appeal under consideration of the higher court.
4. Keeping in view the aforesaid circumstances, the Authority decides to await the outcome of the writ petition.
5. Cases are adjourned to 06.03.2024 for arguments.



.....
NADIM AKHTAR
[MEMBER]



.....
DR. GEETA RATHEE SINGH
[MEMBER]