



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 557 OF 2025

Kamlesh Kumari

....COMPLAINANT

VERSUS

1. Aegis Value Homes Ltd

2. Divey Dhamija

3. Executive Officer

4. Director

....RESPONDENTS

CORAM:

Parneet S Sachdev

Chairman

Nadim Akhtar

Member

Date of Hearing: 06.11.2025

Hearing: 2nd

Present: - Adv. Ashwarya Bajaj, Counsel for complainant through Video call
Adv. Neeraj Goel, Counsel for the respondents through Video call

ORDER (PARNEET SINGH SACHDEV - CHAIRMAN)

1. As per last order dated 19.05.2025, respondent was directed to file reply along with the status of grant of Occupation Certificate/Part Completion Certificate of the project within next four weeks with advance copy supplied to complainant. Since, last hearing *171 days have already been passed and respondent instead of filing reply has sought one more opportunity to file reply.*

2. In the case of **Shiv Cotex v. Tirgun Auto Plast** (2011) 9 SCC 678, the Hon'ble Apex Court has stated as below:-

"No litigant has a right to abuse the procedure provided in CPC. Adjournments have grown like cancer corroding the entire body of justice delivery system." (para 16).

Similarly in para 17 of the order, the Hon'ble Apex court recorded as below

"A party to the suit is not at liberty to proceed with the trial at its leisure and pleasure and has no right to determine when the evidence would be let in by it or the matter should be heard. The parties to a suit — whether the plaintiff or the defendant — must cooperate with the court in ensuring the effective work on the date of hearing for which the matter has been fixed. If they don't, they do so at their own peril."

3. However, in order to provide natural justice, another opportunity is being provided. Any further frivolous adjournment request will attract the defence being struck off. This is in line with the observations of the Hon'ble Supreme court in the case cited supra as below

"Even appellate or revisional courts should not override lower courts' procedural controls out of sympathy for a party's high stakes."

4. Further, on perusal of file it has come to the notice of Authority that complainant has also not filed proper receipts in the present complaint. Complainant is given opportunity to file details of the paid amount in tabular manner supporting it with affidavit and bank statement by **12 December 2025** in registry with advance copy supplied to respondents. Late submission will not be considered.
5. Respondent is given an opportunity to file reply along with cost of ₹ 5000/- payable to Authority and ₹ 2000/- payable to complainant by **8 January 2026** with advance copy supplied to complainant. Complainant is at liberty to file rejoinder by **22 January 2026** with advance copy supplied to respondent. Parties are directed to exchange the copies well within prescribed time, if parties fail to file documents on date mentioned in the order. **Said documents will not be considered.** No further opportunity will be granted to any of the parties. In case parties fail to comply with timelines



mentioned above, the cases will be decided on merits keeping in view the documents on record.

6. Case is adjourned to 19.03.2026.



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NADIM AKHTAR
[MEMBER]



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PARNEET S SACHDEV
[CHAIRMAN]