



Complaint No. 559, 1373 of
2018 and 603, 613 of 2019

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 559 OF 2018

GLM Buyers Welfare AssociationCOMPLAINANT(S)

VERSUS

Global Land Masters Infratech Pvt. Ltd.

erstwhile M/s Bhoomi Infrastructure CompanyRESPONDENT(S)

2. COMPLAINT NO. 1373 OF 2018

Rajesh SoodCOMPLAINANT(S)

VERSUS

Global Land Masters Infratech Pvt. Ltd.

erstwhile M/s Bhoomi Infrastructure CompanyRESPONDENT(S)

3. COMPLAINT NO. 603 OF 2019

Narinder Kumar GuptaCOMPLAINANT(S)

VERSUS

GLM Infratech Pvt. Ltd

....RESPONDENT(S)

4. COMPLAINT NO. 613 OF 2019

Madhu Aggarwal

....COMPLAINANT(S)

VERSUS

GLM Infratech Pvt. Ltd.

....RESPONDENT(S)

**CORAM: Anil Kumar Panwar
Dilbag Singh Sihag**

**Member
Member**

Date of Hearing: 24.07.2019

Hearing: 9th

Present: - Mr. Arun Gupta, counsel for complainant

Mr. Jaswant Singh, counsel for respondent
(in all the complaints)

Mr. V. K. Verma, counsel for respondent no. 2
(in complaint no. 603 and 613 of 2019)

ORDER (ANIL KUMAR PANWAR- MEMBER)

1. At the outset it deserves to be mentioned that Complaint Case No. 259 of 2019, which was earlier being heard with the bunch of above



captioned complaint cases, has been today segregated from the bunch of these cases because Ld. Counsel for the respondent has pointed out that the segregated complaint does not pertain to the project which is subject matter of remaining bunch of cases.

2. Mr. Abhimanyu Deswal, Director of the respondent company, during the course of earlier hearings of this case had projected that the company was in the process of arranging funds for carrying out the remaining development works, so that the possession can be delivered to the allottees. The case thereafter remained adjourned for two dates and today, Mr. Jaswant Singh, Ld. Counsel for the respondent company, has informed the Authority that the company has not been able to arrange funds. So, the Authority needs to examine the prayer of the Resident Welfare Association (RWA) of complaint case no. 559 of 2018 for allowing it to take over the project.

3. It is revealed upon hearing the parties that the project in question was to be developed over a total area of 16.8 acres and 10 Towers were to be erected on this land. However, the respondent company initially undertook the construction work for raising only 4 Towers which are being constructed on a FAR measuring 55699.39 Sq. Mts. The remaining FAR of 63362.26 Sq. Mts has been reserved by it for future development. There are approximately 350 allottees in the 4 Towers which are presently in semi-



built condition. The company besides these 350 allottees has also collected money from 40 more persons who were to be allotted units in the 6 Towers to be developed on the remaining FAR of 63362.26 Sq. Mts.

4. The respondent company had filed an affidavit in this case on 31.12.2018. The said affidavit reveals that there are total 456 flats in the ongoing 4 Towers. The list of allottees of these 4 Towers was attached with the affidavit and it reveals that 419 flats have already been allotted and the remaining 37 flats are lying unsold. The affidavit further reveals that the company has already collected Rs. 129.62 Crores from 419 allottees and the balance amount to be recovered from them is Rs. 70.38 Crores. The respondent company as per affidavit has already invested an amount of Rs. 224.36 Crores in the development work of the project.

If the aforesaid information is correct, 37 out of 40 allottees from whom money has been already collected on the pretext of allotting them flats in the 6 Towers yet to be commenced, can be accommodated in the semi-built 4 Towers. So, it is a case where the remaining development work of 4 semi-built Towers can be got accomplished with the money which is yet to be recovered from the existing allottees and putting to sale some such part of the vacant land as may be necessary for the contribution of funds towards completion of the project.



5. The aforesaid being the situation, the Authority finds it to be a fit case for exploring a chance of getting the project completed for delivery of possession to the existing allottees. So, the Authority directs the complainants/ allottees as under:

- (i) They shall form an association of at least 2/3rd number of total existing allottees of the project and such association shall be got registered with the concerned Assistant Registrar Cooperative Societies and a Memorandum of Association may be placed before this Authority showing that the association has been duly acknowledged by the competent authority and it can now legitimately claim a right on behalf of existing allottees to undertake remaining construction work of the incomplete tower;
- (ii) The association shall open an Escrow Account and deposit therein such initial amount as is sufficient per decision of the Management of the Association for starting the construction work;
- (iii) An affidavit shall be filed stating the details of association formed by the allottees and reflecting the names of the members and the names of members of the governing body of the association;
- (iv) A detailed report shall be filed indicating the works that are required to be carried out in the incomplete tower and proposed manner of execution for completion of the project;



- (v) Assessment report from Engineer/Architect shall be filed indicating the cost required to be incurred for completion of the incomplete tower;
- (vi) Affidavit from the Members of the Residents Welfare Association (RWA) shall be filed stating that they are ready to take over the project for its completion and also to contribute funds for completion of the project. Such contribution shall include the amount spent by the allottees as well as the proportionate additional costs that are required to be incurred for the completion of the project.

Learned Counsel for the complainants has pointed out at this stage that the respondent has not yet supplied complete information in respect of names, telephone numbers and addresses of the total number of the allottees of the project. According to them, the pen-drive supplied to them by the respondent in pursuance of earlier direction issued by this Authority, does not contain addresses, contact nos. etc. of all allottees. So, the Authority directs that the respondent shall supply complete information of existing allottees to the complainants and a copy of the same shall also be filed in the office of the Authority within 7 days.

6. A copy of this order be sent to the DTCP, Haryana for submitting his response with regard to taking over of the project for its



completion as also with regard to the scope of handing over this project to complainant RWA.

7. Mr. V.K. Verma, has today appeared on behalf of Municipal Corporation, Panchkula, which is respondent no. 2 in complaint case no. 603 and 613 of 2019. He has made an oral prayer for deleting the name of said corporation from array of respondent because it has no concern with the project in question. He is directed to file his reply in the matter so that the scope of deleting his name can be considered on the next date of hearing.

8. The case is adjourned to 03.09.2019.



ANIL KUMAR PANWAR
[MEMBER]



DILBAG SINGH SIHAG
[MEMBER]