



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 505 OF 2024

Rakesh Kumar Kapoor and anr.

.....COMPLAINANTS

Versus

M/s BPTP Ltd.

.....RESPONDENT

2. COMPLAINT NO. 506 OF 2024

Hemanta Kumar Pandit and Anr.

.....COMPLAINANTS

Versus

M/s BPTP Ltd.

.....RESPONDENT

3. COMPLAINT NO. 543 OF 2024

Ankur Mehan and Anr.

.....COMPLAINANTS

Versus

M/s BPTP Ltd.

.....RESPONDENT

4. COMPLAINT NO. 544 OF 2024

Atul Kumar Rohtagi

.....COMPLAINANTS

Versus

M/s BPTP Ltd.

.....RESPONDENT

5. COMPLAINT NO. 587 OF 2024

Manoj Kumar and Anr.

.....COMPLAINANTS

Versus

M/s BPTP Ltd.

.....RESPONDENT

CORAM: Nadim Akhtar

Member

Chander Shekhar

Member

Date of Hearing: 03.02.2025

Hearing: 3rd in all captioned complaints

Present: Adv. Nitin Kant Setia, counsel for the complainant in all complaints through VC

Adv. Hemant Saini for the respondent in all captioned complaints.

ORDER (NADIM AKHTAR-MEMBER)

1. As per last order dated 28.10.2024, respondent was directed to file replies in complaint no(s). 543 and 587 of 2024. Replies have already been filed by the respondent in the registry on 28.10.2024.
2. The learned counsel for the respondent stated that all these matters were previously disposed of by the Authority vide order dated 09.10.2018. Currently, these matters are pending before the Hon'ble Adjudicating



Officer. Therefore, the present complaints constitute a second round of litigation in the captioned cases.

3. The learned counsel for the complainant submitted that all these complaints pertain to the same relief and subject matter. The earlier complaints, filed by the same complainants before the Hon'ble Authority, were decided on 09.10.2018, wherein, the Authority had passed the following orders:-

"All other facts of this matter are similar to the facts of the bunch of matters decided by this Authority, with the lead case being Complaint No. 113 of 2018, Madhu Sareen vs. BPTP Ltd. All the complaints in this bunch are hereby disposed of with the further direction that when an offer of possession is given by the respondents to the complainants, it shall be accompanied by a statement of accounts, which in turn shall be prepared in accordance with the principles laid down by the Authority in Case No. 113 of 2018 – Madhu Sareen vs. BPTP Ltd....."

4. Furthermore, in Complaint No. 113 of 2018, titled as "Madhu Sareen vs. BPTP Ltd" the complainants were granted the right to approach the Authority again if they were not satisfied. On this basis, the complainants have now filed captioned complaints once more before this Authority.
5. Ld. counsel for complainants further submitted that Appeal No. 9 of 2018, titled *Madhu Sareen vs. BPTP Ltd.*, is currently pending before the Hon'ble Haryana Real Estate Appellate Tribunal, Chandigarh, and is listed for hearing on 24.02.2025. He requested the Authority to consider applying the decision in the said appeal to the present complaints as well.



6. Further, ld. counsel for respondent stated that they are ready to hand over possession of the unit to the respective complainant even now, subject to orders of the Authority regarding receivables and payables.
7. After hearing the arguments of both parties, the Authority finds it appropriate to fix a date for the complainant to visit the respondent's site office for possession. The Authority directs the complainant to visit the site office of the respondent on 18.02.2025 for this purpose. Respondent is also directed to send an email in next 03 days to the respective complainant, specifying the time of the visit and the contact details of the person who will be present at the site to assist the complainant. Respondent is directed not to charge any amount from the complainant at the time of the visit or during the handing over of possession. The Authority deems it appropriate to settle the receivables and payables at a later stage. Both parties are directed to submit their respective calculations of receivables and payables as per prevailing RERA rate of interest, i.e., 11.10 per annum in the registry, with an advance copy provided to the opposite party.
8. Cases are adjourned to 07.04.2025 for further arguments.


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CHANDER SHEKHAR
[MEMBER]


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NADIM AKHTAR
[MEMBER]