



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 491 OF 2022

Jagdish

....COMPLAINANT(S)

VERSUS

Housing Board Haryana state Branch Panipat

....RESPONDENT(S)

2. COMPLAINT NO. 520 OF 2022

Geeta Rani

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

3. COMPLAINT NO. 530 OF 2022

Sanjiv Kumar

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

4. COMPLAINT NO. 531 OF 2022

Sunita Devi

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

5. COMPLAINT NO. 532 OF 2022

Jitender Kumar Mittal and another

....COMPLAINANT(S)



Complainant no. 491,520,530,531,532,
623,634,635,636,638,639,643,645,
772, 773, 774,778,780,782,,786
790.791, 1422 1423 of 2022

VERSUS

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA
Housing Board Haryana Estate Branch PanipatRESPONDENT(S)
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6. COMPLAINT NO. 623 OF 2022

Ashok Kumar

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

7. COMPLAINT NO. 634 OF 2022

Chander Bhan

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

8. COMPLAINT NO. 635 OF 2022

Karampal Singh

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

9. COMPLAINT NO. 636 OF 2022

Mohinder Singh

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

10. COMPLAINT NO. 638 OF 2022

Nidan Singh

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

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11. COMPLAINT NO. 639 OF 2022

Parveen

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

12. COMPLAINT NO. 643 OF 2022

Rajender Gupta

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

13. COMPLAINT NO. 645 OF 2022

Rajesh Kumari

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

14. COMPLAINT NO. 772 OF 2022

Arun

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

15. COMPLAINT NO. 773 OF 2022

Hansika

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

16. COMPLAINT NO. 774 OF 2022

Complainant no. 491,520,530,531,532,
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Parmilla Devi

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

17. COMPLAINT NO. 778 OF 2022

Parvesh Khapra and another

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

18. COMPLAINT NO. 780 OF 2022

Pushp Lata

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

19. COMPLAINT NO. 782 OF 2022

Ram Niwas

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT

20. COMPLAINT NO. 786 OF 2022

Rupesh Kundu

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

21. COMPLAINT NO. 790 OF 2022

Vishali Kundu

....COMPLAINANT(S)

VERSUS

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Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

22. COMPLAINT NO. 791 OF 2022

Sumitra Devi

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

23. COMPLAINT NO. 1422 OF 2022

Anil Kumar

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

24. COMPLAINT NO. 1423 OF 2022

Jagdish

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

CORAM:

Dr. Geeta Rathee Singh
Nadim Akhtar

Member
Member

Date of Hearing: 19.01.2023

Hearing: 2nd

Present: - Mr. Kamaljeet Dahiya, learned counsel for the complainant
Mr. Gurinder Singh, proxy counsel for the respondent

ORDER (NADIM AKHTAR-MEMBER)

1. Captioned complaints have been taken up together as grievances and facts involved are identical and against the same project of the respondent. Taking Complaint no. 491 of 2021 titled Jagdish Singh vs Haryana Housing Board, as the lead case, learned counsel for the complainant submitted that original allottee agreed to purchase a flat in respondent's project situated at Jind for which booking was made in the year 2010 after paying the amount of ₹75,000/-. Complainant has already paid an amount of ₹9,56,893/- for the said unit against tentative prices of ₹7,50,000/- as mentioned in the prospectus. He has further submitted that possession of allotted unit was to be delivered by 2012. However, from 2012 to 2018, respondent did not respond to the original allottee regarding the tentative date of possession. Thereafter, representative of the respondent in 2018 itself assured the complainant that the construction of the project has been completed and the possession of the unit would be given in shorter period of time. Relying on the assurances of respondent, Complainant purchased the said unit from the original allottee.

It has been further submitted that pursuant to the final registration no.214, the respondent offered possession of Type B unit to the original allottee baring



tenement no.19 A(FF) admeasuring 45.03 vide letter dated 04.02.2018. It has been stated in the said letter that unit was allotted to the original allottee on Hire-Purchase basis at final price of ₹16,00,081/- that includes ₹15,22,400/- as the price of the house and ₹77,681/- as the enhanced land cost. The original allottee has also been advised in the said letter to deposit the sum of ₹6,10,480/- and take possession within 30 days from the date of issue of said letter. A copy of said letter is annexed as Annexure C-1.

He further submitted that the said possession was offered by increasing the price by 219% from the price of the unit mentioned in the brochure/advertisements which was ₹7,50,000/-. In pursuance to which, the complainant and other allottees requested the chairman of the housing board to reduce the price of the said unit. But vide letter 11.06.2021, respondent had offered physical possession of the unit and possession certificate was also issued to the original allottee on 11.06.2021, A copy of letter dated 11.06.2021 and possession certificate are annexed as Annexure C-3 and C-4. Afterwards, vide letter dated 16.06.2021, the respondent had transferred the allotment of the unit no.19-A in the name of the complainant. Copy of letter dated 16.06.2021 is annexed as Annexure C-5. On 10.07.2021, allottees had made a representation for reduction of the price of the flat/unit, consequently, the price was reduced to ₹11,97,000/- and the same has been informed to the complainant vide letter dated 10.07.2021. However, respondent had not reduced the GST and CORPUS FUND charges. Respondent



had also denied to pay delay interest for the period of delay caused in offer of possession.

Aggrieved of the above facts and conduct of the respondent, Allottees had formed an association namely” Housing Board Jind Flat Owners Welfare Association, Sector -8, Jind. The said association gave representation to the respondent wherein certain grievances were raised regarding the enhanced cost, interest and other arbitrary charges and Corpus Fund. He further argued that respondent has charged GST at the rate of 12% per unit whereas construction of the said project had completed in the year 2016, when the GST charges were not leviable. Hence, complainant is not liable to pay the GST charges.

Furthermore, he submitted that there are no proper basic amenities laid down at the site. Infact the situation is so worst that electricity and sewerage disposal plants are not available at the project till date. In support of this argument, he further stated that till date only two allottees has taken physical possession of the units in the said project and the respondent has not applied for electricity connection from DHBVNL for the said project. He further mentioned that DHBVNL has also raided the premises of the said project on 18.06.2021 and found grave illegalities at the project site, consequently penalty was levied on the respondent for those illegalities.

Moreover, respondent board has also installed transformers in open green parks which is against sanctioned plans and also dangerous for residents/children.

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Therefore, aggrieved of all the above facts and circumstances, complainant is seeking relief of possession along with delay interest after repair of all structural defects found in the project. He further requested to respondent to hand over the possession of the unit in a habitable condition.

2. Reply has been filed on 05.01.2023 and a copy of reply has also been duly received by the complainants in all the above captioned cases. Proxy counsel for the respondent submitted that arguing counsel is unable to appear before the Authority today as he is suffering from fever and has requested for adjournment for arguing the matter.
3. In view of the above, Authority observes that in order to adjudicate the matter properly, arguments of the respondent are required to be present before this Authority. Case is adjourned to 12-04-2023 with a direction to respondent to appear and argue the matter on the next date of hearing.


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Dr GEETA RATHEE SINGH
[MEMBER]


.....
NADIM AKHTAR
[MEMBER]