



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)

G. Rathore

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

5. COMPLAINT NO. 532 OF 2022

Jitender Kumar Mittal and another

....COMPLAINANT(S)

VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

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)

Complainant no. 491,520,530,531,532,
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VERSUS

Housing Board Haryana Estate Branch Panipat

....RESPONDENT(S)

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)

Rathore

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16. COMPLAINT NO. 774 OF 2022

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)

G. Rathore

Complainant no. 491,520,530,531,532,
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21. COMPLAINT NO. 790 OF 2022

Vishali Kundu

....COMPLAINANT(S)

VERSUS

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: 12.04.2023

Hearing:

3rd

Geeta Rathee

Present: - Ms. Navneet, proxy counsel for the complainant through
video conferencing
Mr. V.P.S Namdev, learned counsel for the respondent

ORDER (DR GEETA RATHEE SINGH-MEMBER)

Today, learned counsel for the respondent submitted that as per their record, the possession of the flats in question was to be given to the original allottees and not to the subsequent allottees. He further submitted that the complainant has purchased the said flats from the original allottee after the verification of all the amenities and if there were any deficiencies, same could have only been pointed out by the original allottee. He further stated that services such as road, sewerage, storm, drainage and water supply etc. were completed before the handing over the possession of the flats in question. In support of this, he further stated that it has been admitted by the complainant at para 31 of the complaint that the possession of the flats was given to the complainant within the stipulated time period. Thus, the complainants have no locus standi to file the present complaint.

2. In view of the above submissions, on the plea of the respondent that complainants are not the original allottees, Authority observes that definition of allottee does not distinguish between the original allottee and the subsequent allottee. Any amount paid by the allottee is towards the booked unit which the

allottee has purchased. Irrespective of the fact whether that amount was paid by the original allottee or the subsequent allottee, the moment the subsequent allottee purchases the unit, he steps into the shoe of the original allottee for all intent and purposes. All the rights and obligations attached to the unit passes from the original allottee to the subsequent allottee. Thus, plea of the respondent is not justifiable.

Further, it has been observed that issue in all these present complaints is with respect to the basic amenities laid down at the site. Respondent has submitted in their reply as well, that all the basic infrastructural facilities are available at the site, however, no proper annexures or documents has been placed on record to substantiate the same. Therefore, in order to ascertain the availability of the basic infrastructural facilities in the project, respondent is directed to visit the site in question to inspect all the basic and necessary facilities provided to the complainants and file a detailed reply along with the supporting documents and latest photographs of the site by the next date of hearing. An advance copy of the same be supplied to the complainant well before the next date of hearing.

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3. Case is adjourned to **18.07.2023.**


.....
NADIM AKHTAR
[MEMBER]


.....
Dr GEETA RATHEE SINGH
[MEMBER]