



Complaint no. 632 of 2023

HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 632 OF 2023

Rashmi Attri

....COMPLAINANT

VERSUS

PIYUSH BUILDWELL INDIA LIMITED

....RESPONDENT

CORAM: **Dr. Geeta Rathee Singh** **Member**
 Chander Shekhar **Member**

Date of Hearing: 18.03.2025

Hearing: 6th

Present: - Mr. Roop Singh, Learned Counsel for Complainant
 through VC
 None for Respondent

ORDER(DR. GEETA RATHEE SINGH- MEMBER)

1. Vide order dated 22.10.2024, Authority had observed that despite opportunities, respondent has failed to file reply. Therefore, respondent was granted last opportunity to respondent to file reply within 3 weeks in the registry of Authority and in case respondent failed to file reply, within the time period as mentioned above, right of defence of respondent would be struck off on the next date of hearing i.e today and matter would be decided on the basis of documents available on record.

2. Today, reply has not been filed and no one is presenting behalf of the respondent. Since, respondent has been given multiple opportunities to file reply and respondent has deliberately failed to do so, therefore in the interest of justice, right of defence of respondent stands struck off and case is proceeded on basis of available record.
3. Today, learned counsel for the complainant submitted that in captioned complaint, complainant is seeking delay interest from the respondent as the respondent failed to complete the construction of the project and handover possession. In fact, the tower in which complainant was allotted her unit was completed upon instruction of Authority only vides directions passed in complaint no. 89 of 2019, whereby pending work was directed to be completed by association formed by allottees of Tower J and K and possession was directed to be handover to individual allottees. Complainant received possession on 02.10.2022.
4. In complaint no. 89 of 2019, Authority had observed that promoter will continue to be liable for any dues that are recoverable from the promoter and any formalities that have to be gone through and that the association of allottees is not liable to discharge any legal obligation of the promoter towards the State Government agencies. He further submitted that license is still with the respondent/ promoter and entire sale consideration stands paid to the respondent. Furthermore,



respondent/ promoter are liable to pay delay possession charges and also register the conveyance deed without seeking more charges

5. Case is adjourned to 01.07.2025 for further arguments and consideration.


.....
CHANDER SHEKHAR
[MEMBER]


.....
DR. GEETA RATHEE SINGH
[MEMBER]

