



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 01 of 2021

Seema Gulati

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

2. COMPLAINT NO. 180 of 2021

Susma Rani and Anr.

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

3. COMPLAINT NO. 401 of 2021

Satpal Kundal

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

4. COMPLAINT NO. 402 of 2021

Rajbir

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

5. COMPLAINT NO. 509 of 2020

Rajesh Kumar

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

6. COMPLAINT NO. 649 of 2019

Mrs. Jyoti Chopra

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

7. COMPLAINT NO. 721 of 2021

Navneet Kalia

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

8. COMPLAINT NO. 981 of 2019

Ram Kishan Madaan and Anr.

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

9. COMPLAINT NO. 1230 of 2020

Pawan Kundra

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

10. COMPLAINT NO. 1420 of 2020

Reena

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

11. COMPLAINT NO. 1598 of 2022

Sagar Arora

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

12. COMPLAINT NO. 2217 of 2019

Sajid Ali

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

13. COMPLAINT NO. 2299 of 2019

Rakesh Sandhu

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

14. COMPLAINT NO. 2851 of 2019

Sudesh Kumari

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

15. COMPLAINT NO. 2852 of 2019

Amit Kumar Mishra and Anr.

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

Complaint No. 981,649,2217,2299,2851,2852 of 2019

Complaint No. 509,1230,1420, of 2020

Complaint No. 1,180,401,402,721, of 2021

Complaint No. 1598 of 2022

CORAM: Dr. Geeta Rathee Singh Member
Nadim Akhtar Member

Date of Hearing: 02.03.2023

Hearing: 4th (in sr. no. 11)

7th (in sr. no. 1,2,9,10,)

10th (in sr. no. 5,7)

11th (in sr. no. 3,4,14,15)

12th (in sr. no. 12,13)

13th (in sr. no. 8)

15th (in sr. no. 6)

Present: Mr. Vikram Rathore, Counsel for the complainant in 01 of 2021

Mr. B R. Sarohi, counsel for the complainant in complaint no. 401 and 402 of 2021

Mr. Sanjev Gupta, counsel for the complainant in complaint no. 509 of 2020

Mr. Kamal Dhaiya, counsel for the complainant in complaint no. 721,981 of 2019 and 1420 of 2020.

Mr. Akshat Mittal, counsel for the complainant in complaint no. 2851,2852 of 2019.

Mr. Gaurav Chaudhary, counsel for the complainant in complaint no. 2217 and 2299 of 2019



Mr. Gandharv Malhotra, counsel for the complainant in complaint no. 1598 of 2022

Mr. Rahi Mehra, counsel for the complainant in complaint no. 1230 of 2020.

Mr. Sanjay Jain, Ld. counsel for the respondent.

ORDER (NADIM AKHTAR - MEMBER)

Ld. counsel for the respondent in his oral submissions stated that in complaint no. 01 of 2021 titled Seema Gulati vs Aegis Value Homes Ltd, 402 of 2021 titled Rajbir vs Aegis Value Homes Ltd, 1230 of 2020 titled Pawan Kundra vs Aegis Value Homes Ltd and 1420 of 2020 Reena vs Aegis Value Homes Ltd, the respondent promoter has cancelled the unit of complainants and had forfeited the amount of the complainants as the complainants had failed to adhere to the payment schedule/plan despite several reminders issued by the respondent.

2. Ld. counsel for the respondent submitted that in compliance with the order of the Authority dated 06.12.2022, respondent had submitted a brief reply in registry in complaint no. 402 of 2021 titled Rajbir vs Aegis Value Homes Ltd on 28.02.2023. In his reply dated 28.02.2023, counsel for the respondent submitted that despite several reminders, complainant has failed to make payments timely. Therefore, respondent in terms of Builder Buyer Agreement

had cancelled the unit of the complainant and forfeited the amount on 16.12.2016.

3. Respondent counsel submitted that he had filed an affidavit in complaint no. 01 of 2021 titled Seema Gulati vs Aegis Value Homes Ltd. In the said affidavit respondent has submitted that following information;

(i) Respondent company has three directors namely Shri Divey Sindhu Dhamija s/o Shri Inderjit Dhamija, Shri Rajat Dhamija s/o Shri Jaswant Dhamija and Shri Lokesh Kumar s/o Shri Tilak Raj.

(ii) Respondent company is carrying out two projects at Karnal namely Aegis Smart Homes and Aegis Woods.

4. Respondent had further submitted in complaint no. 1420 of 2020 and 1230 of 2020 that an application has been filed requesting one last opportunity to file the detailed reply in the registry stating that vide order dated 20.12.2022, NCLT, New Delhi has discharged IRP from the assignment and has further directed to handover the management of the project back to the respondents/promoter.

5. Ld. counsel for the complainant in Complaint no. 01 of 2021, submitted that he has received the copy of application submitted by respondent just before proceedings and objected to claims and submissions of the respondent. He

stated that respondent has not annexed any relevant documents to support his application.

In compliance with the order dated 06.12.2022, he submitted an application during proceedings providing details of the unit as directed. I.d. counsel for the complainant is directed to file this application in the registry and provide a copy of the same to the respondent.

6. Authority has heard the contentions of the respondent and part contentions of the complainants. Authority observes and orders as follow;

(i) Respondent has failed to comply with the orders of the Authority dated 06.12.2022 by not filing detailed reply in each case and has also failed to file an affidavit as per directions. It is observed that he has filed four different applications in four different cases mentioned above, which it is claimed that unit has been cancelled their amounts have been forfeited. Again no relevant document is attached to support their application and oral averments.

While pursuing application of the complainant in complaint no. 01 of 2021, it is revealed that respondent had booked a project of respondent i.e. in Ananda Phase- I Scheme at sector 32, Karnal. On the other hand, perusal of the affidavit filed by the respondent against the said complaint reveals that respondent company is carrying out two projects at Karnal namely, Aegis Smart Homes and Aegis Woods. There is no mention of Ananda Phase -I Scheme by



the respondent. Therefore, respondent is directed to seek clear instruction in advance and must incorporate correct and true details along with relevant documents in written submissions. By imposing a cost of Rs. 2000/- on the respondent to be paid to each complainant before the next date of hearing, Authority grants an opportunity to the respondent to file detailed reply in each case along with an affidavit attached with relevant supporting documents. Authority, further directs respondent to file reply within 3 weeks time with an advance copy to the complainants. Complainants are at liberty to file rejoinder.

(ii) During proceedings few counsels and complainants wished to file their written submissions, they are directed to file the same in the registry and supply a copy of the same to respondents. Complainants who have not filed written documents are directed to file written submissions attached with photographs and relevant documents. They are also directed to supply an advance copy to the respondent three weeks before the next date of hearing.

7. Cases are adjourned to 30.05.2023



DR. GEETA RATHEE SINGH
(MEMBER)



NADIM AKHTAR
(MEMBER)