



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. 607 of 2021

Pramila Singh

...COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

7. COMPLAINT NO. 649 of 2019

Mrs. Jyoti Chopra

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

8. COMPLAINT NO. 721 of 2021

Navneet Kalia

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

9. COMPLAINT NO. 722 of 2021

Shamsher Singh Malik

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT



10. COMPLAINT NO. 981 of 2019

Ram Kishan Madaan and Anr.

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

11. COMPLAINT NO. 1115 of 2021

Ranbir Singh Rathee

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

12. COMPLAINT NO. 1230 of 2020

Pawan Kundra

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

13. COMPLAINT NO. 1420 of 2020

Reena

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

14. COMPLAINT NO. 2217 of 2019

Sajid Ali

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT



15. COMPLAINT NO. 2299 of 2019

Rakesh Sandhu

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

16. COMPLAINT NO. 2851 of 2019

Sudesh Kumari

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

17. COMPLAINT NO. 2852 of 2019

Amit Kumar Mishra and Anr.

....COMPLAINANT

VERSUS

Aegis Value Homes Ltd.

....RESPONDENT

CORAM: Rajan Gupta

Chairman

Dilbag Singh Sihag

Member

Date of Hearing: 08.07.2022

Hearing: 2nd (in complaint no. 1,2,12,13,)

3rd (in complaint no. 11)

4th (in complaint no. 5,6,8,9)

5th (in complaint no. 3,4,16,17)

6th (in complaint no. 14,15)

7th (in complaint no. 10)

8th (in complaint no. 7)

Present: Mr. Kamajeet Dahiya, Ld. Counsel for the complainant (in complaint no. 721 of 2021, 981 of 2019, 1420 of 2020)

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

Mr. Ripudaman Singh, Ld. counsel for the complainant (in complaint no. 509 of 2020)

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

ORDER (DILBAG SINGH SIHAG- MEMBER)

While perusing cases files it is observed that in all the above captioned complaints, three similar orders in bunch were passed by the Authority for the complaints vide orders dated 17.05.2022. The bunch orders were separated as per builder buyer agreement or provisional allotment letter signed between the parties submitted in their complaint files. Following lead cases were taken varying projects in all complaints. Complaint No. 402 of 2021 for project Aegis Scheme, Complaint No. 01 of 2021 for project Ananda Phase I and Complaint No. 180 of 2021 for project Aegis woods respectively. All the matters were heard at length and therefore all the captioned complaints are taken in bunch.

2. While initiating his pleadings ld. counsel for the complainant Shri. Kamaljeet Dahiya in complaint no. 721 of 2021 sort attention of the Authority to its orders dated 17.05.2022 where Authority appointed Chief Town Planner (CTP) Haryana RERA, as local commissioner to visit the site of the project and



submit a report on the status of construction of project in all the complaints. In compliance CTP, HRERA, visited the site on 30.06.2022 and submitted a report on 07.07.2022. Copy of the same has been emailed to all the complainants and respondent's company directors.

3. Today all the matters were heard at length and also report of the local commissioner was discussed in detail. After going through report of local commissioner following conclusion has been drawn:

i. That the project Aegis Value Homes, Smart Homes Karnal, is a registered project vide RERA registration certificate number 265 of 2017 dated 09.10.2017. The project was proposed to be completed by 23.07.2022. However, they applied for extension for the project and the same was granted by Authority upto 23.07.2022 including the nine months covid period.

ii. The director of the promoter company has informed that there was one project in the name of Aegis Smart Value Homes and said project was being marketed/promoted in different names such as Ananda Phase-I, Aegis Scheme, Aegis Smart Value Homes.

iii. As per report of Local commissioner, approximately 70% of the works have been executed at site and if the works are undertaken at a pace at which they were being undertaken at the time of site visit the project could be completed within one year.



iv. The other project being executed by Aegis Value Homes Ltd. is a part of the Town Planning Scheme approved for JD Universal measuring 25 Acres approved by the Urban Local Bodies Department. This Group Housing pocket (Part of the above 25 Acres) is being constructed on land measuring 1.46 acres comprising 104 Flats and is being marketed as Aegis Woods located at sector 33, Karnal.

v. Aegis woods project is 40% complete and no construction has taken place at site from the last 4 to 5 years.

4. All the complainants have accepted the report and on the basis of same have submitted their averments. Shri. Kamaljeet Dahiya, Id. Counsel for the complainant in complaint no. 721 of 2021, 981 of 2022, 1420 of 2020 submitted that the project was supposed to be completed by 2022 as per the registration certificate issued by the Authority. However, respondent has not only failed to deliver the project as per the terms of the provisional allotment letter but have also failed to complete the project as per the RERA registration certificate. Further, he submitted that extension of registration does not amount to extending contractual liability of allottees and builder and pleaded to allow relief as per prayer.

5. Advocate Sanjay Jain appeared on behalf of the respondent and submitted his Vakalatnama during hearing. He requested for adjournment submitting that they wish to amicably settle the matter.

6. After hearing both the parties Authority was of the following view:



i. All the complainants in the present matter are seeking relief of refund except four complaints as which are complaint no.721 of 2021, 722 of 2021,981 of 2019 and 1115 of 2021. It is an acknowledged fact that till date respondent has not completed the project and also have not submitted a detailed reply in order to put forth their submissions or averments.

ii. It is also observed by the Authority that respondent had only issued provisional allotment letter to the complainants and have not executed Builder buyer agreement except in complaint no. 607 of 2021, 649 of 2019,1230 of 2020 and 2217 of 2019. Further it is observed mainly in all the complaints, complainants have submitted nearly 1/3rd or 1/4th of the amount against the basic sale price of their respective booked units and respondents have not made any major demand from the complainants after these payments. Therefore, their respective payments made by the complainants could be presumed as booking amounts against their respective units.

iii. Respondent has grossly failed to comply with the terms of the agreement between the parties and have not completed project till date which can be corroborated by the report of local commissioner.



7. Case is adjourned to 04.08.2022.



RAJAN GUPTA
(CHAIRMAN)



DILBAG SINGH SIHAG
(MEMBER)

