



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 654 OF 2021

Ferrous Allottees Association

....COMPLAINANT

VERSUS

Ferrous Infrastructure Pvt. Ltd.

....RESPONDENT

CORAM:

**Rajan Gupta
Dilbag Singh Sihag**

**Chairman
Member**

Date of Hearing: 10.08.2022

Hearing: 6th

Present: - Adv. Rishabh Jain, learned counsel for the complainant through video conferencing
Adv. Sourabh Goel, learned counsel for the respondent through video conferencing

ORDER (DILBAG SINGH SIHAG - MEMBER)

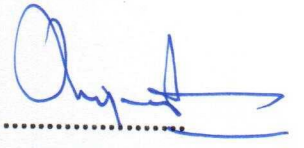
1. This complaint has been filed by an association of Allottees of the project of respondent company for taking over the project in accordance with provisions of Section 8 of the RERA Act, 2016.

2. Learned counsel for the complainant submitted that association has support of 160 allottees out of 434 allottees of the project, and they are further in the process of attaining two-third majority as required by Section 8 of the RERA Act. He also apprised the Authority that some allottees have more than one apartment. To substantiate his arguments, he referred some of allottees like Mr. Amit Mittal has 10 flats, Ms. Tanya Jain has 6 flats, Mr. Vimal Arora has 4 flats, Convenience enterprises have 4 flats in the project of respondent. Further, complainant association has segregated such allottees who have 2-3 flats in the same project of the respondent promoter and they are trying to muster majority of the allottees.
3. On the other hand, Respondent's case is that as and when association is able to muster majority of the allottees, they will have no objection in handing over the project to them for completion at their own level. Same is admitted by respondent in para no. 23 on page 13 of his reply dated 14.12.2021. However, he submitted this is a pre mature complaint at this stage because today despite being 6th hearing, association has not shown support of enough number of allottees as required under the statute.
4. Most important requirement for handing over of the project to association of allottees in pursuance of Section 8 of the RERA Act is that the association must have backing of atleast two third allottees.
5. So far the association has the support of only 160 allottees out 434 allottees of the project, the complainant association is directed to increase their

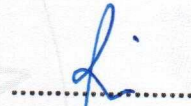
membership. When they are about to reach majority figure, Authority will hold their hand and guide them through further process for taking over of the project.

6. Authority directs Ferrous Allottees Association to place on record a list of total allottees of the project with complete segregation as to how many flats belong to which particular allottee.

With these directions, case is adjourned to 20.10.2022.



RAJAN GUPTA
[CHAIRMAN]



DILBAG SINGH SIHAG
[MEMBER]