



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: Dr. Geeta Rathee Singh
Nadim Akhtar**

**Member
Member**

Date of Hearing: 15.12.2022

Hearing: 7th

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

ORDER (NADIM AKHTAR - 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. During the previous hearing dated 10.08.2022, association mustered support of only 160 allottees out of 434 allottees of the project, thereby failing to reach the two-third majority, as required by Section 8 of the RERA Act, 2016. Therefore, Authority directed complainant association to reach majority

figure, then only, Authority will hold their hand and guide them through further process for taking over of the project. In addition to this, Authority further directed 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 as complainant association apprised the Authority that some allottees have more than one apartment in the project.

3. Today, during the hearing, Mr. Abhay Jain, learned counsel for complainant placed on record list of two – third allottees i.e., 270 allottees, out of 434 allottees of the project as per requirement of Section-8 of RERA Act, 2016. He submitted that there are around 400 allottees who have purchased 434 units from respondent promoter, as some of the allottees had purchased more than one unit. Mr. Amit Mittal had bought 10 flats, Ms. Tanya Jain has 6 flats, Mr. Vimal Arora has 4 flats, Convenience Enterprises has 4 flats and around 10 allottees have bought 2-3 flats in the project.

He further submitted that there are 32 allottees whose phone numbers are either wrong or not reachable. Thus, complainant association is not able to reach them for enrolling them as member of the Association. He prayed that respondent promoter be directed to provide correct and latest phone numbers of these 32 allottees so that complainant association can contact them.

4. On the other hand, Mr. Sourabh Goel, learned counsel for respondent promoter argued that list of two – third allottees, placed on record by complainant association be supplied to him so that he can verify the veracity



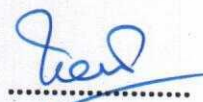
of document placed on record by complainant association as to whether two-third majority is reached or not, as required by Section 8 of the RERA Act, 2016.

5. Authority accepted his request and direct the respondent promoter to collect copy of list of list of two – third allottees i.e., 270 allottees, out of 434 allottees of the project as per requirement of Section-8 of RERA Act, 2016. A scanned copy of same may also be sent through e-mail of the Authority to Mr. Sourabh Goel, learned counsel for respondent promoter. Also, Authority direct the complainant association to conduct AGM of all allottees of the project along with respondent promoter to discuss the issue of two-third majority. Minutes of meeting along with list of two-third majority members, as required under Section-8 of RERA Act, 2016 be placed on record, in the form of affidavit by complainant association before the next date of hearing.

With these directions, case is adjourned to 02.03.2023.



DR. GEETA RATHEE SINGH
[MEMBER]



NADIM AKHTAR
[MEMBER]