



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 1817 OF 2023

Sunita Ahuja

....COMPLAINANT

VERSUS

1. Ansal Properities And Infrastructure Limited
2. Jhandewalan Awas Limited

....RESPONDENTS

2. COMPLAINT NO. 789 OF 2023

Suresh Devi and Keshav Kumar

...COMPLAINANTS

VERSUS

1. Ansal Properities And Infrastructure Limited
2. Jhandewalan Awas Limited

....RESPONDENTS

3. COMPLAINT NO. 831 OF 2023

Virender Kumar Ahuja

....COMPLAINANT

VERSUS

1. Ansal Properities And Infrastructure Limited
2. Jhandewalan Awas Limited

....RESPONDENTS

4. COMPLAINT NO. 841 OF 2023

Ramesh Kumar Madan and Raj Kumari

....COMPLAINANTS

VERSUS

1. Ansal Properities And Infrastructure Limited
2. Jhandewalan Awas Limited

....RESPONDENTS

5. COMPLAINT NO. 752 OF 2023

Ashok Kumar

....COMPLAINANT

VERSUS

1. Ansal Properities And Infrastructure Limited
2. Jhandewalan Awas Limited

....RESPONDENTS

6. COMPLAINT NO. 810 OF 2023

Vijayalakshmi Nair

....COMPLAINANT

VERSUS

1. Ansal Properities And Infrastructure Limited
2. Jhandewalan Awas Limited

....RESPONDENTS

7. COMPLAINT NO. 818 OF 2023

Parveen

....COMPLAINANT

VERSUS

1. Ansal Properities And Infrastructure Limited
2. Jhandewalan Awas Limited

....RESPONDENTS

8. COMPLAINT NO. 839 OF 2023

Prem Parkash Sharma & Devender Kumar Sharma ...COMPLAINANTS

VERSUS

1. Ansal Properities And Infrastructure Limited
2. Jhandewalan Awas Limited

....RESPONDENTS

9. COMPLAINT NO. 840 OF 2023

Chitra Bhardwaj

...COMPLAINANT

VERSUS



1. Ansal Properties And Infrastructure Limited
 2. Jhandewalan Awas Limited
-RESPONDENTS

10. COMPLAINT NO. 865 OF 2023

Kedar Nath Yadav and Chandan Kumar Yadav ...COMPLAINANTS

VERSUS

1. Ansal Properties And Infrastructure Limited
 2. Jhandewalan Awas Limited
-RESPONDENTS

11. COMPLAINT NO. 828 OF 2023

Geetika PandeCOMPLAINANT

VERSUS

1. Ansal Properties & Infrastructure Ltd.
 2. Jhandewalan Awas Ltd.
-RESPONDENTS

12. COMPLAINT NO. 829 OF 2023

Satish Pal and Taruna PalCOMPLAINANT

VERSUS

1. Ansal Properties & Infrastructure Ltd.
 2. Jhandewalan Awas Ltd.
-RESPONDENTS

13. COMPLAINT NO. 833 OF 2023

Usha Rani WadhwaCOMPLAINANT

VERSUS

1. Ansal Properties & Infrastructure Ltd.
 2. Jhandewalan Awas Ltd.
-RESPONDENTS



14. COMPLAINT NO. 836 OF 2023

Kailash Chand

....COMPLAINANT

VERSUS

1. Ansal Properties & Infrastructure Ltd.

2. Jhandewalan Awas Ltd.

....RESPONDENTS

15. COMPLAINT NO. 864 OF 2023

Ritu Bhardwaj

....COMPLAINANT

VERSUS

1. Ansal Properties & Infrastructure Ltd.

2. Jhandewalan Awas Ltd.

....RESPONDENTS

16. COMPLAINT NO. 866 OF 2023

Rakesh Kumari Sharma and Raj Kumar Sharma

....COMPLAINANTS

VERSUS

1. Ansal Properties & Infrastructure Ltd.

2. Jhandewalan Awas Ltd.

....RESPONDENTS

CORAM: Dr. Geeta Rathee Singh

Member

Chander Shekhar

Member

Date of Hearing: 20.08.2024

Hearing: 5th in complaint no's 789, 831,841,752,810,818,839, 840 & 865 of 2023.

4th in complaint no's. 1817,828,829,833,836,864,866/2023



Present: CS Anand Verma, ld. counsel for the complainant in all the above captioned complaints.
Mr. Sunny Tyagi, ld. counsel for the respondent no. 1 in all the above captioned complaints through VC.
Sh. Chetan Yadav, learned counsel for respondent no. 2 in all the above captioned complaints through VC

ORDER:

1. The above-captioned complaints have been taken together as a bunch since nature and facts of these complaints are identical and relates to same project of the respondent namely '*Green Escape, Sonipat*' and similar reliefs have been prayed by the complainants in all the above captioned complaints and are represented by same counsel.
2. Adv. CS Anand Verma, learned counsel for the complainant stated that in all captioned complaints builder buyer agreements were executed in year 2012. As per said agreements respondent was under an obligation to handover possession by year 2015. However, respondents till date have not handed over possession to any of the complainants. He further stated that respondent no.2 had acted as an agent and deceived complainants by taking booking amounts of 5000/- each from complainants. At page no. 26 of complaint, at clause E. Respondent no.2 admits that they initiated bulk bookings for the project in question. Therefore, respondent no.1 as well respondent no.2 be considered equally responsible for malpractices in real estate sector.



3. Per contra, Adv. Sunny Tyaggi, counsel for respondent no.1 stated that construction of the booked units are at final stage and respondent will be able to deliver the possession within 4-5 months. He clarified that project got delayed due to various reasons such as covid, farm protests and financial crunches. Further he requested before the Authority to grant some time to file latest construction progress report of project and unit booked by captioned complainants along with photographs.
4. Adv. Chetan Yadav, counsel for respondent no.2 objected to the complainants counsel statement and stated that respondent is not an agent rather an aggregator. Authority asked the respondent counsel to differentiate between aggregator and agent. Further, it was observed that respondent no.2 is also responsible for deceiving the complainants for initiating bookings since they have become part to the builder buyer agreement executed between parties.
5. After hearing both parties, Authority observes that since all the complainants are seeking relief of possession, it will be appropriate to grant one last opportunity to respondent no.1 with following directions:
 1. To file affidavit along with detailed latest progress report of construction of all the units in question in tabular manner.
 2. To place on record layout plan marking parking area, amenities and services to be provided to allottees in the project as per terms of builder buyer agreement.



Above stated documents be filed in registry within four weeks with advance copy supplied to complainants. Further, Authority directs respondent no.2 to clarify how they are not the agents for the promoter, , since they were part of builder buyer agreement executed between parties.

5. Cases are adjourned to 14.01.2025.


.....
CHANDER SHEKHAR
[MEMBER]


.....
Dr. GEETA RATHEE SINGH
[MEMBER]