



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 89 OF 2022

Madhu Mehta

....COMPLAINANT(S)

VERSUS

Alpha Corp Development pv. Ltd.

....RESPONDENT(S)

2. COMPLAINT NO. 90 OF 2022

Madhu Mehta

....COMPLAINANT(S)

VERSUS

Alpha Corp Development pv. Ltd.

....RESPONDENT(S)

3. COMPLAINT NO. 91 OF 2022

Anamika Aggarwal

....COMPLAINANT(S)

VERSUS

Alpha Corp Development pv. Ltd and ors.

....RESPONDENT(S)

CORAM: **Dr. Geeta Rathee Singh** Member
Nadim Akhtar Member

Date of Hearing: 19.01.2023

Hearing: 4th

Present : - Mr. Munish Kapila, Id counsel for the complainants through VC.

Mr. Shaurya Khanna, proxy counsel for the respondent's advocate
Mr. Harsh Bungar.

ORDER (NADIM AKHTAR - MEMBER)

Today is the 4th hearing in all the three cases. All cases are taken up together as bunch matter by taking complaint no. 90 of 2022 titled Madhu Mehta vs Alpha Corp Development Pvt. Ltd as lead case. Facts of the lead case are that the complainant booked a unit in the respondent's project and executed plot buyer agreement dated 14.01.2009 and deemed date of possession was fixed 18 months + 90 days grace period from the date of commencement of development work. Basic sale price of the said unit was fixed for Rs. 20,70,000/- against which complainant has not submitted receipts of payments made. Offer of possession was made on 07.06.2012 and the same was not accepted by complainant till date. Grievance of the complainant is that said offer made is not a valid offer of possession as at the time of making such offer, respondent did not had necessary documents i.e. part completion certificate (PCC). The said document (PCC) was received by the respondent on 02.07.2015 for 42 acres of land and for the remaining 9.74 acres of land was received on 03.05.2018. Complainant has further submitted that respondent promoter was also involved in civil litigation which was dismissed as withdrawn on 19.07.2017 and till then no offer of possession was made even after obtaining part completion certificate.

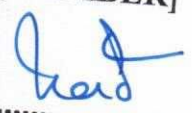


2. Proxy counsel, Mr. Shaurya Khanna appeared on behalf of respondent's Advocate Mr. Harsh Bungar and submitted that Mr. Harsh Bungar has been elevated as Hon'ble Judge at High Court of Punjab and Haryana and sought adjournment. Same is acceded by the Authority.
3. Authority has heard the contentions of the complainant and is of a view to that Authority had disposed of cases of similar nature against the same project and involving similar grievances in complaint no. 1506 of 2019 tiled Anil Kumar vs Alpha Corp Development Pvt. Ltd. vide order dated 30.03.2021. Complainant has requested not to dispose of the said complaints in similar terms as he submitted that these cases are challenged before the Hon'ble Appellate Tribunal. Counsel for complainant neither gave the next date of hearing nor was able to give the exact status and appeal numbers. Therefore, Authority directs the counsel for complainant to submit his written submissions specifically mentioning his contention made in appeal along with payments receipts in each complaint. He is further directed to supply an advance copy of same to respondent before the next date of hearing.
4. Counsel for the complainant has also submitted that he has not received a copy of reply in complaint no. 91 of 2022. He is directed to collect a copy of the same from the office of the Authority.



5. Case is adjourned to 12.04.2023 for arguments.


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DR. GEETA RATHEE SINGH
[MEMBER]


.....
NADIM AKHTAR
[MEMBER]

