



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 911 OF 2023

Harish Kumar

....COMPLAINANT

VERSUS

Avalon Projects (M/S Grj Distributors & Developers Pvt Ltd

....RESPONDENT

CORAM: Dr. Geeta Rathee Singh

Member

Chander Shekhar

Member

Date of Hearing: 16.01.2024

Hearing: 3rd

Present: - Sh. Gopal Krishan Yadav Advocate, counsel for complainant
through VC.

Sh. Hemant Saini, Advocate, counsel for respondent.

ORDER

1. The captioned complaint was listed for 09.01.2024 but due to re-constitution of benches, it was listed today. As per last order dated 10.10.2023, complainant was directed to file copies of the receipts of the paid amounts issued by the respondent- promoter. In compliance of said

- order, complainant filed aforesaid documents on 21.11.2023 in the registry of the Authority. Same are taken on record.
2. Today is the 3rd date of hearing. Ld. counsel for respondent accepted notice on 04.07.2023. Reply has not been filed till date. Authority grants last opportunity to respondent to file reply within three weeks and supply its advance copy to the complainant; otherwise his defence will be struck off and case will be heard on merits. An additional cost of ₹ 10,000/- payable to Authority and ₹ 5,000/- payable to complainant is imposed upon respondent for not filing reply in time. Complainant is at liberty to file rejoinder, if any, within next two week with an advance copy supplied to the opposite party.
3. Ld. Counsel for respondent submitted that respondent promoter is ready to offer possession of the allotted flats though Occupation Certificate from DTCP is still awaited from concerned authorities. He averred that the work is almost complete in Phase 2 of the said project, wherein they were required to install 10 lifts, out of said 10 lifts, 5 lifts have already installed and remaining 5 lifts will be installed within a short period of time by arranging funds accordingly. He submitted that the respondents are ready to pay whatever delay interest, they are liable to pay as per provisions of the Act and rules or regulations framed thereunder for delay caused in offering possession to the concerned allottees.



4. Id. Counsel for the complainant sought time to seek instructions from his client regarding offer made by Id. counsel for respondent. Complainant may accept the said offer of possession without Occupation Certificate at his own risk and responsibility.
5. Case is adjourned to **16.04.2024**.


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CHANDER SHEKHAR
[MEMBER]


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DR. GEETA RATHEE SINGH
[MEMBER]