



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 950 OF 2021

Suresh Kumar through his legal representativesCOMPLAINANT

1. Om Parkash Sharma (Father of deceased)
2. Ramesh Kumar Sharma (Brother of deceased)
3. Pushpa (Sister of deceased)

VERSUS

TDI Infracorp (India) Ltd.RESPONDENT

CORAM: Dr. Geeta Rathee Singh Member
Nadim Akhtar Member

Date of Hearing: 21.11.2023

Hearing: 11TH

Present: - Ms.Aakansha Kocchar, Counsel for complainant
None for the respondent

ORDER (NADIM AKHTAR- MEMBER)

1. On the 9TH hearing, i.e., 23.08.2023, following order was passed:-

“An application has been filed in registry on 26.07.2023 impleading legal representatives of deceased allottee duly supported with Pedigree Chart issued by Municipal Councillor annexed at page no. 9 of said application. Aadhar card of all three legal representatives have been attached but affidavit of only one representative i.e. Mr. Suresh Sharma has been placed on record.

Today, ld. counsel for complainant submitted that there is no provision of legal heir certificate in State of Punjab and therefore pedigree chart has been placed on record. He further requested that amended memo of parties filed at page no. 14 of said application be taken on record. On the other hand, Ld. proxy counsel for respondent submitted that due to some miscommunication on part of his office, he did not come

to know about today's date of hearing and sought time to submit the already imposed cost. His request is accepted.

Perusal of application reveals that affidavit of two legal representatives-Om Parkash Sharma and Pushpa have not been attached. So, complainants are directed to file requisite affidavits before the next date of hearing. Further, it is observed that complainants herein are seeking possession of plot no. D-341 having area 250 sq yds situated in respondent's project-TDI City, Panipat whereas respondent in its written statement has stated in para 3 that allotment of plot stands cancelled and plot has already been allotted to another (Mrs. Ritu Jain) on 30.08.2018. But no documentary evidence in support of said pleas has been placed on record. In order to adjudicate the issues involved in this case, Authority directs the respondent to provide the information on following points:-

- a. Status of Completion Certificate of the project
- b. Cancellation letter alongwith proof of service
- c. Demand letters and reminders for payment following which allotment of plot was cancelled.
- d. Proof of allotment to third party with supporting documents like builder buyer agreement.
- e. Latest statement of account of complainants.

Said information be filed by the respondent within 4 weeks from today with an advance copy supplied to complainant.

Case is adjourned to 04.10.2023."

2. On the last date of hearing, i.e., 04.10.2023, ld. proxy counsel appearing on behalf of Mr. Ajay Ghangas, counsel for respondent sought more time to file requisite documents. As per office record, an application with supporting documents has been filed by respondent in registry on 31.10.2023 in compliance of order dated 23.08.2023.

3. Ld. counsel for complainant stated that she has not received copy of said application. A copy of said application has been supplied to her in the



Court itself. Today, no one has put in appearance on behalf of respondent to argue the matter nor any request from side of respondent has been received on official mail id of office. In these circumstances, Authority observes that respondent is intentionally delaying the case by not providing proper assistance to Court for disposal of this case. So, a cost of Rs 10,000/- stands imposed upon respondent in view of the deliberate non-assistance on its part

4. Case is adjourned to 18.01.2024 for arguments.



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DR. GEETA RATHEE SINGH
[MEMBER]



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NADIM AKHTAR
[MEMBER]