



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

1. COMPLAINT NO. 954 OF 2019

Renu Bala

.....COMPLAINANT

Versus

M/s Ansal Properties and Infrastructure Pvt. Ltd.

.....RESPONDENT

CORAM: Rajan Gupta
Anil Kumar Panwar

Chairman
Member

Date of Hearing: 28.10.2020

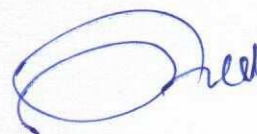
Hearing: 6th

Present through video call: - None for the complainant

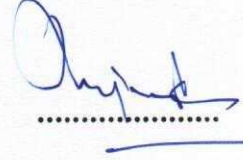
Sh. Ajay Ghangas, Counsel for respondent

ORDER (ANIL KUMAR PANWAR- MEMBER)

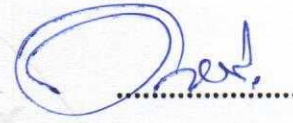
1. The complainant in this case booked a commercial office space in respondent's project and had paid Rs. 19,84,986/- against the total sale consideration of Rs. 32,16,000/-. Respondent was required to deliver the possession by the year 2009 and the complainant is now seeking refund on the ground that the respondent had failed in his duty to offer the possession on time.
2. The respondent's plea is that he had already cancelled the allotment of the complainant on 06.11.2012 and after deducting the earnest amount of Rs. 6,43,200/-, had informed the complainant that she can collect the balance amount of Rs. 13,41,786/- by depositing the original receipt and other documents.
3. It is evident from the respondent's reply that the complainant prior to alleged cancellation dated 06.11.2012 in response to the demand notice sent to her had informed the respondent on 12.03.2012 that it would not be possible for her to pay the balance sale consideration due to paucity funds and therefore, she may be refunded the already paid amount. The respondent is therefore directed to explain as to how the cancellation affected after about 8 months of such communication by the complainant is justifiable and more particularly when such cancellation was not accompanied with the refund of the amount of Rs. 13,41,786/- payable to the complainant after deduction of earnest money. Respondent seeks time to argue on this point on next date of hearing.



4. So, case is adjourned to **02.12.2020** with a direction to the complainant, who is today not present, to appear and prosecute her complaint on the next date, failing which the same will be liable to dismissal for non-prosecution.



RAJAN GUPTA
[CHAIRMAN]



ANIL KUMAR PANWAR
[MEMBER]

