

**(105) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-7730-2021

Date of Decision:24.08.2021

Anita Sardana and others

... Petitioners

Vs.

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

HON'BLE MR. JUSTICE VIKAS BAHL

Present : Mr. Rohit Oberoi, Advocate
for the petitioners.

Mr. Sandeep Moudgil, Addl. A.G. Haryana.

TEJINDER SINGH DHINDSA, J. (Oral)

This case has been taken up through Video Conferencing.

The petitioners herein claimed to be allottees in respect of flats in a project namely Vatika Tranquil Heights, Gurugram. Such project is stated to have been developed by respondent No.3-M/s Vatika Limited.

Instant petition raises multifarious prayers including directions to be issued to the official respondents against issuing occupation certificate in respect of the project. Further more revocation/cancellation of all licences and registration granted in favour of respondent No.3 is sought.

During the course of hearing, we find that petitioners have already approached Haryana Real Estate Regulatory Authority, Gurugram in terms of filing a complaint raising various issues which are subject matter of the instant petition. In the proceedings that have been conducted by the Authority on 3.11.2020, following order has been passed:

“It is not a right forum to file the complaint and the same should be examined in detail by the planning branch of this Authority specifically on the issues raised in the complaint and the provisions of relevant Act/Rules.

The Authority is of the considered view that the matter be adjourned sine die. File be consigned to the registry.”

It is thus clear that the Authority has not taken a final view in the matter as yet. Rather it has been stated that the complaint lodged by the petitioners ought to be examined by the Planning branch of the Authority itself and the matter was adjourned *sine die*.

In view of the above, we are of the considered view that no intervention in the matter is called for by this Court at this stage.

Writ petition is disposed of in terms of granting liberty to the petitioners to approach the Haryana Real Estate Regulatory Authority, Gurugram, by way of filing an appropriate application for taking the matter further as also for actual listing as regards hearing of the complaint pursuant to the order dated 3.11.2020 at Annexure P-24.

Disposed of.

However, it is clarified that we have not examined the case on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

(VIKAS BAHL)
JUDGE

24.08.2021
rajeev

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**