

14.07.2025

Complaint no. – HPRERA2024003/C Sunil Kumar Sood

Complaint No. HPRERA/OFL/1242-23 Sunil Kumar Sood

Complaint No. HPRERA/OFL/1303-23 Diamond Traxeim Pvt. Ltd

Complaint No. HPRERA/OFL/1420-23 Pawan Kumar Banta

Present: - None for complainant Sh. Sunil Kumar Sood
None for complainant Sh. Sunil Kumar Sood through Webex
None for complainant M/s Diamond Traxeim Pvt. Ltd.
None for complainant Dr. Pawan Kumar Banta
Sh. Vivek Negi, Ld. Counsel for Respondent M/s Nirwana Woods & Hotels
Pvt. Ltd. through Webex

HEARING THROUGH WEBEX

The present proceedings involve four complaints, which are being considered together. Applications for withdrawal accompanied by compromise deeds have been received in respect of three complaints. In two of these cases, applications have been submitted by Shri Sunil Kumar Sood in both online and offline modes, whereas in the third complaint, the application has been submitted by M/s Diamond Traxeim Private Limited. All applications are duly supported by signed compromise deeds.

Upon careful consideration of the submitted applications and the accompanying compromise deeds, this Authority, without commenting upon the maintainability of the complaints—as prima facie, none of the parties herein appear to qualify as "aggrieved persons" within the meaning of Section 31 of the Real Estate (Regulation and Development) Act, 2016—is of the view that there exists no legal impediment in permitting the withdrawal of these complaints. Accordingly, the three aforementioned complaints are hereby dismissed as withdrawn without adjudicating on the merits thereof.


With respect to the fourth complaint filed by Shri Pawan Kumar Banta, it is observed that no representative appeared on his behalf today. However, in the interest of justice, one final opportunity is hereby granted to the parties concerned to complete their instructions.

Further, attention is drawn to the correspondence from the Member Secretary, Himachal Pradesh State Pollution Control Board, Shimla, bearing letter No. PCB (246/Sunil Kumar Sood Construction Project Nirwana Woods) 2023-1364-72 dated 5th

December 2023, as referred to in the office letter of this Authority dated 1st January 2024 (File No. HPRERA/Complaints/20022/2407). The Himachal Pradesh State Pollution Control Board, through the aforementioned communication, has withdrawn the 'Consent to Establish' granted to the said project. Given the significant implications of this withdrawal on the rights and interests of the allottees, the promoter was restrained from selling or booking any units in the said project until further orders from this Authority.

Additionally, considering the gravity of this matter and other relevant issues highlighted during the present proceedings and notwithstanding the withdrawal of the above-mentioned complaints, this Authority takes suo moto cognizance of these developments. Consequently, the Town and Country Planning (TCP) Wing of this Authority is directed to closely monitor the ongoing issues by convening periodic progress meetings with the promoter to ensure appropriate compliance and redressal of concerns.

List this matter for further hearing on 8th August 2025 at 03:00 PM via WebEx.


(Amit Kashyap)
MEMBER


(R.D. Dhiman)
CHAIRPERSON


(Vidur Mehta)
MEMBER