



Real Estate Regulatory Authority

Government of Himachal Pradesh

Complaint Application

Application No.

CTA0620220002

printed : 24-04-2024 08:49 AM

Complaint Details

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|------------------------|--|
| Complaint Subject | Mr. Yudhir Arora & Kamlesh Arora |
| Facts of the complaint | <p>1. That a flat no. 501 / 5th , Tower A – 4, Himachal one Baddi, Tehsil - Nalagarh, District - Solan, Himachal Pradesh had been purchased in July 2011 for Rs. 23,00,000 /- as basic price circulated at the rate of Rs.1,295 /- per sq. feet of the area vide revised Apartment Buyer Agreement dated 23.11.2019 by Smt. Kamlesh Arora (Senior citizen) , with an idea to gift the same to her son Mr. Yudhir Arora as a lifetime gift. It is pertinent to mention here a sum of Rs. 1,25,000 additional sum was also paid to the respondent as the respondent was unable to complete the flats and this fact finds mentioned in agreement in which 9 months time period was mentioned for the completion of the flats and disputes.</p> <p>2. That entire payment of Rs. 23,00,000 /- was cleared by the complainant in the year 2019 itself as physical possession for the flat purchased and in dispute was offered on 17.10.2021 thereafter by the respondent. No Dues Certificate in this regard was issued by Ahlawat Developers & Promoters (ADP), SCO 124, First Floor, Swastik Vihar, Sector-5, MDC, Panchkula.</p> <p>3. That the Respondent though promised to execute registry of the flat but he does not possess Occupation Certificate, Permission under Section – 118 of the H.P Tenancy and Land Reforms Rules. Not only this even Completion Certificate from the competent Govt. authority is not available with the respondent.</p> <p>4. That in case the advertisements (Annexure – A – 3) floated by the respondent in different newspapers are perused, it was specifically mentioned in the same that even the Non – Himachalis can also buy, hence it is and not was the responsibility of the respondent to obtain the same. The respondent indulged in unfair trade practice by propagating that he had permission under Section – 118 even otherwise in case the apartment buyer agreement executed by the respondent initially is perused, same does not whisper even a single sentence about the permission under Section – 118. The Complainants since are stuck in the clutches of respondent, hence they were compelled to execute another Apartment Buyer Agreement dated – 23.11.2019, as Unilateral Conditions are imposed every time in the agreement and correspondence of the respondent as recently in letter dated 09.01.2022 the respondent is first time mentioning despite receiving entire sale consideration that permission under Section – 118 is required for individuals, who do not have a agriculturist certificate whereas same never found mentioned in the agreements nor in the advertisements floated.</p> <p>5. That in the subsequent agreement though, the respondent claimed to get the completion certificate within 9 months from BBND & registration work of flats also to be completed in 9 months, but almost two years are about to elapse and the Occupation Certificate, Registration work and Completion Certificate is yet to see light of the day.</p> <p>6. The Complainants since last 11 years have been made rolling stone as neither status of the flat purchased is clear nor they could enjoy the money spent for the same that at the risk of repetition. It is most humbly submitted that in the advertisements and ABA, though the respondent promised to install Elevators from Schiendler of Switzerland along with Club House, Billiards, Lawn Tennis, Children Play Area, Swimming Pool, but all the claims were false as a local made elevator has been installed and plotting has been done in the areas mentioned as club house, billiards, lawn tennis, children play area and in the swimming pool area. Apart from the amenities above mentioned , even basic amenities like electricity , water and sewerage are missing and respondent is sending letter to execute conveyance deed. No electricity safety equipment is present for the towers 3 & 4 and life danger and hazards are visible as the wires are not even properly tied in the area. Even supply of water is being done from only</p> |

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| | <p>visible as the wires are not even properly tied in the area. Even supply of water is being done from only tower 1 tank by putting temporary pipes to tower 3 & 4 and sub – standard material and articles are being used to deliver the possession and investors like applicant are being compelled to accept the possession as their hard – earned money is stuck up with the respondent. Though the respondent is sending letters to take the possession of the property because many other buyers have filed complaints against him with this authority but the actual position of the flat is not even near to livable. Hence, a grave danger to life is always their if the buyers like applicant are compelled to live in the flats in dispute. All these facts also reflects the sincerity and business hospitality of the respondent.</p> |
| Reliefs Sought | <p>To execute conveyance deed after registration in favor of the complainant by submitting Occupation certificate, Completion Certificate or the respondent maybe directed to refund the amount along with interest @ 12 percent per annum since the date of their respective receipts along with compensation or punitive damages to the tune of Rs. 1,50,000/- since complainant No. 2 is a senior citizen. Being Senior citizen to take proper decision for peaceful last leg of life of the applicant no. 2 .</p> |











Complainant Details

| | Personal Info | Contact Details | Address | Notice Address |
|----|---|--|--|--|
| 1. | YUDHIR ARORA Father : Sh. SOHAN LAL ARORA Type : Allottee | 9818901410 aroras.panchkula@gmail.com | No. 311, Sector-9, Panchkula, Panchkula, Haryana, 134113 | No. 311, Sector-9, Panchkula, Panchkula, Haryana, 134113 |

Respondent Details

| | Personal Info | Contact Details | Address | |
|----|---|--|--|--|
| 1. | JAGJIT SINGH AHLAWAT Type : Project Category : Individual | 9988773558 adp_projects@yahoo.co.in | No# 46 Sector-10, Panchkula, Panchkula, Haryana, 134113 | |

Documents relied upon by the complainant and referred to in the complaint

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|----|--------------|---|
| 1. | Annexure |   |
| 2. | Annexure |   |
| 3. | Annexure P-3 |   |
| 4. | Annexure P-4 |   |
| 5. | Annexure P-5 |   |

Other Documents as annexed along with the complaint

 No Records to Display

Declaration

Jurisdiction of the Authority

☒ I **YUDHIR ARORA** declare that the subject matter of the claim falls within the jurisdiction of the authority.

Complaint not pending with any other Court

Whether this Complaint is pending with any other court, etc.? : **No**

☒ I **YUDHIR ARORA** declare that the matter regarding which this complaint has been made is not pending before any court of law or any other authority or any other tribunal(s).

Declaration and Verification

☒ I **YUDHIR ARORA**, S/O **Sh. SOHAN LAL ARORA** do hereby verify that the given details are true to my personal knowledge and belief and the i hav not suppressed any material fact(s).

Place : **Shimla**

Date : **14/06/2022**

Registration Fee

Fee Amount

₹ 500

Payment Status :  Payment Received

Payment Mode : Online

Transaction No. : HPR140620220001

Transaction Date : 14/06/2022 01:40 PM

Bank Details : sbiepay~202216552870725