

Raj Kumar And Kuljeet Kaur V/s M/s. JSJ Builders Pvt. Ltd.

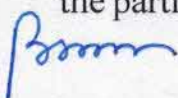
Complaint No. AdC No. 1056/2019

Present Mr. Raj Kumar, complainant in person along with Mr. Pranav Goyal Advocate proxy of Mr. Himanshu Raj Advocate representative for the complainant
Mr. Sahil Thakur Advocate representative for the respondent

The case is fixed today for the arguments but the complainants want to withdraw the present complaint, in view of the subsequent documents which came to the possession of the complainant including the documents supplied under RTI. The plea taken was that in view of the said documents case for playing fraud on the complainants by the respondent has to be incorporated in the complaint which earlier could not be pleaded. Joint statement of complainant Raj Kumar and Pranav Goyal Advocate had got recorded in this behalf. However, the prayer for allowing the withdrawal of the complaint for filing a fresh complaint on the same cause of action by including the said particulars is opposed on behalf of the respondent on the ground that the case is at final stage and the respondent had been harassed due to unnecessary delay on the part of the complainant and start of fresh litigation *de novo*.


I have anxiously considered the entire matter and find that strict rules of civil law are not applicable to the proceedings before this Bench and procedure being summary. Therefore, if the complainants want to withdraw the present complaint for including the particulars of fraud being played upon them by the respondent on the basis of documents which have come into their possession later on, such permission can be granted. However, as the respondent has been contesting the present complaint since long and the case is almost at final stage, the respondent can be compensated by payment of costs.

In view of the above discussion, the complainants are allowed to withdraw the present complaint with permission to file a fresh complaint on the same cause of action by including the particulars of the fraud on the basis of the documents, subject,



however the payment of costs of Rs.2000/- to the respondent.
Copy of the Order be sent to both the parties and file be
consigned to record room after necessary compliance under
rules.

15.04.2021


(Balbir Singh)
Adjudicating Officer
RERA