

**BEFORE SHRI J. S. KHUSHDIL,  
ADJUDICATING OFFICER,  
REAL ESTATE REGULATORY AUTHORITY,  
PUNJAB MANDI BHAWAN, SAS NAGAR (MOHALI).**

Complaint No.AO/RERA/13/2018  
Date of Institution: 20.02.2018  
Dated of Decision: 29.05.2018

Dr. Vinay Goyal.

.....Complainant

Versus

Rohtas Goel (M/s Omaxe Ltd.).

.....Respondent

Complaint under Section 31 read with Section 71 of the  
Real Estate (Regulation and Development) Act 2016 and  
Rule 37 of Punjab State Real Estate (Regulation and  
Development) Rules.

Present: Dr.Vinay Goyal, complainant in person  
Shri Deepanjit Singh DM (Legal) with Shri Mritunjay  
Kumar Advocate, representative for the respondent.

 29/5/2018  
**ORDER**

1. Dr. Vinay Goyal (hereinafter called as the complainant) has filed this complaint against Rohtas Goel of M/s Omaxe Ltd. (hereinafter called as the respondent) alleging certain violations and contraventions of the Act on the part of the respondent. The case was at its initial stage when the complainant opted to

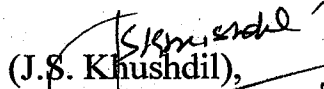
withdraw the complaint and has made a separate statement that there are certain legal flaws in the complaint, therefore, he be allowed to withdraw the same with liberty to file fresh on the same cause of action. He has also stated that earlier he had filed this complaint of his own without seeking legal assistance and he may file fresh complaint with a legal advice. The respondent side has objected to the withdrawal of the complaint on the ground that its reply regarding maintainability of the complaint be considered.

2. I have heard both sides and have perused the file. The case is at its initial stage. The complainant is always master of his case and it is for him to withdraw or to continue with the proceedings. From the statement of the complainant it transpires that the complainant views certain legal flaws in the complaint, which may affect his case adversely at latter stage. The respondent side, however, filed reply raising certain objections on the maintainability of the complaint and I am of the view that at this stage those objections may not be an impediment for the withdrawal of the complaint by the complainant. However, the respondent is always at liberty to file reply and may resist the complaint if filed by the complainant subsequently.

*D. S. Khurshida*  
*29/5/2018*

3. In view of the statement of the complainant, he is permitted to withdraw this complaint with liberty to file a fresh one on the same cause of action if advised in accordance with law and the instant complaint is hereby dismissed as withdrawn. Nothing herein observed will have effect on the subsequent proceedings. The file be consigned to record room after due compilation.

Dated: 29.05.2018

  
(J.S. Khushdil),  
Adjudicating Officer, 28/5/2018  
Real Estate Regulatory Authority.