

NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION
NEW DELHI

REVISION PETITION NO. 4171 OF 2012

(Against the Order dated 13/08/2012 in Appeal No. 262/2009 of the State Commission Haryana)

1. DHARAMPAL

S/o Late Shri Ram Lal, R/o BG-5/70B, Paschim Vihar

NEW DELHI - 110063

DELHI

.....Petitioner(s)

Versus

1. HARYANA URBAN DEVELOPMENT AUTHORITY
& ANR.

Through its Estate Officer,

BAHADURGARH

HARYANA

2. Administrator, Haryana Urban Development Authority,

Sector- 1

ROHTAK

HARYANA

.....Respondent(s)

BEFORE:

HON'BLE MR. JUSTICE ASHOK BHAN, PRESIDENT

HON'BLE MRS. VINEETA RAI, MEMBER

For the Petitioner : Mr.Ashish Upadhyay, Advocate

For the Respondent : NEMO

Dated : 02 May 2013

ORDER

Complainant/petitioner's father was allotted an industrial plot No.1586/1, MIE, Bahadurgarh on 18.5.1984 and thereafter transferred in his name vide Memo No.2050 dated 29.9.2007. Petitioner filed the complaint alleging that in spite of his completing all the necessary formalities and requests made, respondents have not sanctioned the building plan.

District Forum allowed the complaint, aggrieved against which, respondents filed appeal before the State Commission. State

Commission, relying upon three judgements of this Commission in "Monstera Estate Pvt. Ltd. Vs. Ardee Infrastructure Pvt. Ltd., IV (2010) CPJ 299 (NC); SKG Engineering Pvt. Ltd. vs. Emaar MGF Land Pvt. Ltd., III (2010) CPJ 260 (NC); and Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO) vs. M/s Diksha Enterprises – III (2010) CPJ 333 (NC)" held that since the 'appellant' had purchased the property for commercial purpose, the complaint filed by him was not maintainable.

We agree with the view taken by the State Commission. The decisions referred to by the State Commission are squarely applicable to the facts of the case. We are bound by the decision of the Coordinate Benches.

Dismissed reserving liberty with the petitioner to seek relief of his grievances from any other Forum along with an application under Section 14 of the Indian Limitation Act for condoning the delay for the time spent before the consumer fora, keeping in mind the observations made by the Supreme Court in Laxmi Engineering Works vs. PSG Industrial Institute – (1995) 3 SCC 583.

.....J
ASHOK BHAN
PRESIDENT

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VINEETA RAI
MEMBER