



# एयर फोर्स नेवल हाऊसिंग बोर्ड AIR FORCE NAVAL HOUSING BOARD

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AFNHB/ADM/1047

20 Jun 22

## All Allottees of Meerut Scheme

### UPDATE ON AFNHB MEERUT SCHEME

1. Further to previous web update issued vide AFNHB/ADM/1047 dated 30 May 22.
2. Post introduction of RERA in 2016, the project was also registered under U.P. RERA, as on today 80 allottees of Meerut project have filed complaints against AFNHB before U.P. RERA, praying for compensation / interest on their deposited amount for the delay in completion of the project. List of all 80 allottees is enclosed as **Annexure-1**. RERA Authority vide various orders awarded interest to 34 allottees on their deposited amount from various period.
3. Since, the project is a self financed one and AFNHB has no separate funds to meet such unforeseen expenditure, AFNHB was not in position to pay the interest amount to the complainants as directed by RERA Authority. Accordingly, AFNHB filed 34 separate appeals before RERA Tribunal, Lucknow by depositing Rs 86 Lakh in compliance of Sec 43 (5) of RERA being 30% of interest amount.
4. RERA Appellate Tribunal (REAT) directed to deposit 100% of the interest awarded to the complainants before hearing the appeals on merits. Since, AFNHB was not in a position to deposit the entire amount; the Tribunal dismissed all the appeals for non-compliance of orders.
5. Aggrieved by RERA Tribunal orders, AFNHB filed appeals before High Court of Allahabad. After considering status of AFNHB as a welfare society, working on 'No Profit No Loss' basis, the Hon'ble High Court of Allahabad, vide its orders dated 16 Mar 21 and 18 Mar 21 allowed all appeals and directed U.P. RERA Tribunal to hear the appeals on merits on deposition of 30% of awarded interest by AFNHB.
6. However, RERA Tribunal raised technical objection stating that 30% deposit was accepted only where penalty was awarded, whereas in case of interest/ compensation, 100% of the amount needs to be deposited as per Sec 43(5) of RERA Act. Accordingly, AFNHB filed clarification applications before Allahabad High Court seeking clarification on mandatory deposit for hearing of appeals by RERA Tribunal.
7. Meanwhile in the absence of any stay orders, Execution Authority (RERA) passed recovery certificates (RC) against AFNHB. Subsequently, SDM Meerut vide order dated 27 Jan 21, has frozen all the known bank accounts of AFNHB and vide order dated 27 Sep 21 also passed orders for attachment of entire Meerut project.

8. SDM Meerut further vide its order dated 03 Dec 21 issued notice for auction of entire Meerut project of AFNHB. The order itself was disproportionate as SDM had ordered for auctioning of the project of the approx value of Rs 190 Cr against recovery of Rs 4.78 Cr towards the amount of interest awarded to 26 complainants by RERA, Gr Noida.

9. Consequent to issuance of order dated 03 Dec 21, all progress work at site had come to a halt. This order was challenged before Hon'ble high Court Allahabad and stay was obtained on 22 Dec 21 and a question of law was framed whether considering the bye-laws and Memorandum of Association of AFNHB whether provisions of RERA would be applicable to it. The case was finally argued on 08 to 10 Mar 22 and was reserved for order.

10. In the meantime, DG had a meeting with the Chairman, RERA and after deliberating the issue, the Chairman RERA also directed the District Administration Meerut not to initiate any coercive action against innocent allottees. Subsequent to these orders, the auction proceedings scheduled by District Administration for 24 Dec 21 were suspended.

11. In order to proceed further, meetings were held with the district administration, Meerut and Chairman RERA so that registration of flats could be restarted which was kept in abeyance since issuance of notice dated 03 Dec 21 by SDM Meerut. During these meetings it was submitted that in order to benefit a few RERA litigants, interests of remaining 500 innocent allottees cannot be compromised. Unfortunately, the issue could not be resolved as the SDM had expressed his inability to restore registration of flats till a written communication is issued by Chairman RERA.

12. The judgment in appeals filed before the Hon'ble High Court at Allahabad has been passed on 12 Apr 22. The High Court has held that there is no clause of waiver in the RERA Act and AFNHB falls within the definition of promoter. Hence, as per Hon'ble Supreme Court judgment, an appeal can be entertained by RERA Tribunal only after 100% interest / compensation is deposited before the Tribunal.

13. Consequently, **AFNHB filed an SLP in Hon'ble Supreme Court to safeguard interests of allottees.** However, SLP was dismissed on 30 May 22 stating that all Govt Departments, Development Authorities are within the ambit of RERA, hence there is no waiver. **However, in order to revive our appeals at RERA Tribunal to hear on merit, the SC has graciously granted eight weeks time to deposit the money and till then no coercive action /auction of flats against AFNHB to take place.**

14. All this while, the Management of AFNHB has taken all possible steps to safeguard the interests of allottees. AFNHB is also trying its level best to avoid the auction of flats by SDM because during auction flats can be purchased by anyone and it may have adverse impact on the social matrix of the society. However, it may be appreciated that AFNHB is a Welfare Organisation and working on No Profit No Loss basis and does not earn any profit from its activities. All AFNHB projects are self financed, therefore any unforeseen expenditure in the project has to be booked against project cost. **Therefore, during Board of Management meeting held on 17 Jun 22, it has been decided that the amount which needs to be paid to a few RERA litigants in this project, shall be booked against project cost and with Final Costing, the deficit amount shall be recovered proportionately from all**

the allottees in accordance with the Final Costing Clause of the AFNHB Master Brochure. The approximate interim financial burden has been calculated and will be recovered as follows:-

SL. NO.	CATEGORY	ADDITIONAL INTERIM AMOUNT PAYABLE
(a)	A-1	1,10,000/-
(b)	A-2	1,00,000/-
(c)	B-1	70,000/-
(d)	B-2	60,000/-

Further, the allottees are welcome to check the books of account / ledger of Meerut project for clarity.

15. This is for information of all concerned.

(Jatinder Singh Deo)  
Commander  
JGM(L & S)  
For Director General  
20 Jun 22

**Copy to:** PD Meerut  
Air Force Naval Housing Board  
Meerut Project  
Sect 4B, Shatabdi Nagar  
Meerut-250103

The President  
Jal Vayu Towers  
Apartment Owners Association  
Sect-4B, Shatabdi Nagar  
Meerut(UP)-250103

## LIST OF RERA COMPLAINANTS : MEERUT PROJECT

Sl. No.	Allottee	Regn no	Complaint No.
1	Prateek Vashistha	MRE-080	10201822021
2	Wg Cdr Rakesh Chander Saxena	MRA-0356	NCR169/05/1287/2019
3	Cmde Chitrapu U Bhaskar	MRA-0353	NCR169/06/0794/2019
4	AVM Rajender Khurana	MRA-0397	NCR169/06/1221/2019
5	Angela Bhasin (D/o Mrs Narinder Sachdeva)	MRA-0403	NCR169/06/0975/2019
6	Cdr Bharat Singh	MRA-0412	NCR169/08/0699/2019
7	Satish Kumar Sharma	MRB-0621	NCR169/08/0096/2019
8	Bijender Singh	MRB-0589	NCR169/08/0115/2019
9	Wg Cdr Arun Malhotra	MRA-0407	NCR169/09/0925/2019
10	Sarvesh Sharma	MRD-0027	NCR169/10/0819/2019
11	Gajinder Kumar	MRB-0549	ADJ/NCR169/11/0283/2019
12	Suneel Tyagi	MRB-0693	ADJ/NCR169/11/0977/2019
13	Saurabh Ranjan	MRB-0562	ADJ/NCR169/11/1080/2019
14	Vikram Singh Rajawat	MRB-0660	ADJ/NCR169/11/1011/2019
15	Ashwani Kr Sharma	MRB-0600	ADJ/NCR169/01/0177/2020
16	Dharmendra Kumar	MRB-0627	ADJ/NCR169/11/1014/2019
17	Khurram Abbas	MRE-0022	NCR169/01/1485/2020
18	Wg Cdr Sharad Sirohi	MRC-0029	NCR169/06/1176/2019
19	Cdr Vikas Kumar	MRE-0139	ADJ/NCR169/11/0419/2019
20	Manoj Singh Aswal	MRB-0550	ADJ/NCR169/01/0158/2020
21	Rajesh Batra	MRB-0666	ADJ/NCR169/01/0131/2020
22	Jasveer Singh	MRB-0540	ADJ/NCR169/12/1048/2019
23	Sanjay Singh	MRB-0522	ADJ/NCR169/12/1323/2019
24	Rahul Agarwal	MRE-0064	ADJ/NCR169/12/1089/2019
25	Mohit Anand	MRE-0077	ADJ/NCR169/03/53073/2020
26	Cdr Rajat Aggarwal	MRF-0031	ADJ/NCR169/03/52650/2020
27	Deepak Tyagi	MRE-0122	ADJ/NCR169/10/63088/2020
28	Vinod Kumar Sharma	MRA-0391	ADJ/NCR169/08/59211/2020
29	Wg Cdr Sunil Rawat	MRC-0080	NCR169/07/57088/2020
30	Dr Stuti Saxena	MRE-0068	NCR169/07/56717/2020
31	Vikrant Chaudhary	MRE-0125	NCR169/08/57454/2020
32	Cdr Narinder Singh	MRA-0345	NCR169/09/62052/2020
33	Cdr Ravinder Singh	MRE-0089	NCR169/09/62364/2020
34	Sqn Ldr Asheesh Pandit	MRE-0076	NCR169/07/56598/2020

35	Rajat Tomar	MRE-0151	1201928093
36	Shushil Kumar Sharma	MRB0651	220187455
37	Rahul Mishra	MRB-0575	2201930842
38	Shubhash Nain	MRB-0566	420189243
39	Gp Capt Monish Yadav	MRE-0037	420189477
40	Gaurav Singh	MRE-0061	6201811661
41	Rishi Raj	MRB-0638	6201812504

42	Ajeet Singh	MRB-0681	6201811571
43	Amit Kumar	MRB-0648	6201812300
44	Wg Cdr Hari Datt Talwani	Flat Sold	6201811560
45	LT CDR Rajesh Wadhwa	MRA-0390	220187497
46	Jitendra Kumar Sharma	MRB-0480	220187467
47	Vishwanath Sharma	MRB-0457	9201819654
48	Wg Cdr Naveen Talwani	MRE-0047	6201811550
49	Ashwani Jain	MRA-0341	120185335
50	Anil Kumar Julka	MRE-0136	ADJ/NCR169/09/61482/2020
51	Avijeet Bose	MRE-0070	NCR169/12/66718/2020
52	Suchit Yadav	MRE-0095	ADJ/NCR169/08/58389/2020
53	Varun Singh	MRF-0102	ADJ/NCR169/03/72387/2021
54	Ex Sgt S K Rawat	MRB-0698	NCR169/08/58667/2020
55	Virender Singh	MRB0486	NCR169/05/75067/2021
56	Yogender Chauhan	MRB0613	NCR169/05/75071/2021
57	Jaspal Singh Bisht	MRD0006	NCR169/05/75074/2021
58	Sheo Sharan Prasad	MRB0309	NCR169/06/75110/2021
59	Sharad Bansal	MRB0661	NCR169/06/75112/2021
60	Ramesh Kumar	MRB0554	NCR169/06/75114/2021
61	Ankit Gupta	MRB0674	NCR169/06/75115/2021
62	Ajit Singh Yadav	MRA0385	NCR169/03/59551/2021
63	Brajesh Kumar Sinha	MRB0134	ADJ/NCR169/05/74674/2021
64	Rajesh Kumar	MRB0496	ADJ/NCR169/05/74813/2021
65	Harpal Singh Rawat	MRB0594	NCR169/05/75068/2021
66	Vinod Kumar Singh	MRB0601	NCR169/05/75062/2021
67	Praveen Kumar Gupta	MRB0542	NCR169/06/75178/2021
68	Krishan Kumar	MRB0531	NCR169/06/75183/2021
69	Satender Sahrawat	MRB0524	NCR169/06/75188/2021
70	Sushil Kumar Dubey	MRB0500	NCR169/06/75208/2021
71	Durvijai Singh	MRB0604	NCR169/06/75211/2021
72	Jasmer Singh	MRD0054	NCR169/06/75214/2021
73	Ajay Kumar	MRB0582	NCR169/06/75216/2021
74	Mohinder Kumar Bhadwar	MRE0032	NCR169/06/75815/2021
75	Rear Adm Rahul Shrawat	MRE0039	NCR169/06/75996/2021
76	Rear Adm Ravinder Bhatia	MRE0033	NCR169/06/76255/2021
77	Virender Kumar	MRA0295	ADJ/NCR169/09/81478/2021
78	CSA Gupta	MRC0025	ADJ/NCR169/03/91401/2022
79	Pawan Arora	MRE0029	NCR169/04/93448/2022
80	Ashminder Singh Bahal	MRA0342	NCR169/04/93494/2022