

M/s Three C Shelter Pvt. Ltd
V/s
M/s Greenpolish Welfarw Association and anr.
Appeal No. 316 of 2020

Present: Sh. Dhananjai Jain, Advocate, ld. counsel for the appellant.

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

Office report perused.

The appeal be registered.

At the very outset, we asked ld. counsel for the appellant against which direction, order or decision, the present appeal has been preferred. He could not point out any decision, order or direction of the ld. Authority which have been challenged in the present appeal. He has simply stated that some *suo-moto* proceedings have been started by the ld. Authority to enforce the order passed in complaint no. 225 of 2018 though the separate execution proceedings were already pending before the ld. Authority.

Heard, as per Section 44(1) of the Real Estate (Regulation and Development) Act, 2016, the appeal before this Tribunal is only maintainable if any person is aggrieved by any direction, order or decision of the ld. Authority or the Ld. Adjudicating Officer. But in the instant case admittedly there is no such direction, order or decision. So, the appeal filed by the appellant is not maintainable as it does not fall with the purview of Section 44(1) of the Act. Moreover, ld. counsel for the appellant has conceded that the appellant has already moved the objections before the ld. Authority against the *suo-moto* proceedings and we have no reason to believe that the said objections filed by the appellant shall not be considered judiciously by the ld. Authority.

With these observations, the present appeal is hereby dismissed.

Copy of this order be communicated to the parties as well as
Ld. Real Estate Regulatory Authority, Gurugram.

File be consigned to the records.

Justice Darshan Singh (Retd.)
Chairman,
Haryana Real Estate Appellate Tribunal,
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

07.10.2020
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