



HARYANA REAL ESTATE REGULATORY AUTHORITY, PANCHKULA.

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Extract of the resolution passed by the Haryana Real Estate Regulatory Authority, Panchkula in its meeting held on 29.07.2026.

Item No. 327.28

Representation on behalf of Sh. Rameshwar and Sh. Khilla Ram.

Promoter: NCR infra Build Well Developers LLP.

Reg. No.: HRERA-PKL- JJR-886-2026 dated 10.04.2026 valid upto 22.12.2030.

Temp ID: 1982-2026.

1. Vide letter dated 08.06.2026, a representation was made by Manu Ahlawat on behalf of his clients Sh. Rameshwar and Sh. Khilla Ram . The contents of which are as follows:

- i. That this representation is being made with respect to the License Number 257 of 2025 dated 23.12.2025 (valid up to 23.12.2030) granted by the Directorate of Town and Country Planning, Haryana, Nagar Yojana Bhawan, Madhya Marg, Chandigarh in favour of Shri Satinder Kumar, Smt. Birmati, Sh. Naveen Singh Dalal, BMSRL Builders NCR Infra Buildwell Developers L.L.P and Smt. Roshni (hereinafter referred to as "Satinder Kumar and others") for a land admeasuring 8.30 acres as mentioned in the above said license. The copy of same is attached.
- ii. That pursuant to the grant of the abovementioned license by the DTCP , Haryana, the licensee's i.e., Satinder Kumar and others applied for the grant of license before HRERA, Panchkula and a license bearing number HRERA-PKL-JJR-889-2026 dated 10.04.2026 (valid up to 22.12.2030) was granted in favour of the above-mentioned licensee.
- iii. The above-mentioned license holder namely Satinder Kumar and Others have concealed material facts from concerned authorities in order to get approval and licenses from DTCP, Haryana and HRERA, Panchkula.
- iv. That one of the license holders, namely, Shri Naveen Dalal became the owner and possession of a portion of land (which is depicted by the license holders before the concerned authorities for the grant of license) through a registered Deed Number 5751 dated 21.12.2023. The said deed was executed by Sh. Vijay S/o Zile Singh in favour of Shri Naveen Dalal S/o Sh. Kapoor Singh. The copy of same is attached.
- v. That the executant of the said deed namely Sh. Vijay Kumar became the owner in possession of the said land through a registered Deed bearing Number 826 dated 11.05.2023. The said deed was executed by Sh. Somesh Kumar Gupta, son of Shri



- Shyam Lal Gupta in favour of Sh. Vijay Kumar who subsequently transferred the land in favour of Sh. Naveen Dalal.
- vi. The ownership and the title of the said land purported to be transferred by Somesh Gupta to Shri Vijay Kumar and further by Shri Vijay Kumar to Shri Naveen Dalal is defective and illegal from its very inception as the initial title of Sh. Somesh Kumar was defective and bad in the eyes of law. The well settled principle of property law "Nemo dat quod non habet" makes it aptly clear that no one can give what he does not have. An individual cannot transfer a better title or ownership rights to a property or goods than they currently possess.
 - vii. That Sh. Somesh Gupta allegedly became the owner and in possession of the said land through a Sale Deed bearing number 250 dated 15.04.2013. The said deed was challenged before the Court in a Civil Suit titled "Rameshwar & ors. versus Somesh Kumar Gupta & ors.", Case No. CS-612-2015 decided on 29.04.2025 by the Court of Dr. Monika Khanagwal, Addl. Civil Judge (Senior Division), Jhajjar wherein the said deed number 250 of 15.04.2013 was declared as null and void. Also, in compliance with the said judgement and decree, a mutation bearing number 32566 dated 04.05.2026 was sanctioned in favour of the plaintiff namely Rameshwar S/o Sh. Chalti Devi.
 - viii. That aggrieved by the judgment of the civil suit, the defendant namely Somesh Kumar Gupta preferred a Civil Appeal bearing number CA-120-2025 challenging the Judgement and Decree dated 29.04.2025 which is sub-judice before the Hon'ble Court of Sh. Manoj Kumar Rana, Addl. District and Session Judge, Jhajjar and is listed for final arguments on 04.07.2026.
 - ix. That as per the bare reading of the latest Zimni order in the civil appeal, the Hon'ble Court in order to preserve the nature of suit property and to avoid multiplicity of litigation, has restrained the respondent from alienating the suit property till the next date of hearing. Hence, it is aptly clear that the court as on date have recognized the respondent namely Sh. Rameshwar as the owner of the said land.
 - x. Hence, the complete trail of various deeds is hereby presented for your due perusal. It is stated that the portion of land depicted by Shri. Naveen Dalal before the Town and Country Planning Department and Real Estate Regulatory Authority ultimately belongs to Shri Rameswar. It is further stated that Shri Naveen Dalal became the owner through a deed executed in his favour by Shri Vijay Kumar and Shri Vijay Kumar became the owner of the same land through a deed executed by Shri Somesh Kumar Gupta. As per the latest judgement in civil suit number 612-2015 decided on 29.04.2025, the sale deed bearing number 250 of 2013 has been declared null and void.
 - xi. That the above-mentioned civil suit was registered in the year 2015 and Shri. Somesh Kumar Gupta transferred the land in question to Shri. Vijay Kumar in the year 2023, while a civil suit was already pending for due adjudication of his title and ownership. Thus, the legal principle of "Lis Pendis" is grossly violated by Sh. Somesh Kumar at the very juncture when he executed a deed bearing number 826 dated 11.05.2023 in favour of Sh. Vijay. The doctrine as enshrined under Section 52 of Transfer of Property Act clearly states that during a pending litigation, the said provisions prohibits/ prevents a person from selling, transferring or mortgaging an immovable property while a legal dispute rendering that property is pending before the court of law. Furthermore, the above stated principle is binding upon third parties also wherein any party sells the property to an unknowing third party during a trial, the sale remains valid-but the buyer's ownership is completely



- subject to the final court decision. If the original seller loses the case, the buyer also loses the property. Furthermore, Shri Vijay Kumar transferred the same land to Sri Naveen Kumar Dalal which was then used by him for the grant of licenses from the DTCP, Haryana and HREERA, Panchkula.
- xii. That the above-mentioned persons namely Shri Somesh Kumar Gupta, Shri Vijay Kumar and Shri Naveen Kumar Dalal have conspired together and got the deeds registered by suppressing material facts and there upon succeeded in their ulterior motive in order to get approvals and licenses from the Town and Country Planning Department and the Real Estate Regulatory Authority.
- xiii. That aggrieved by the same, the applicant also lodged a complaint regarding the said incident before P.S. Sadar Thana, District Jhajjar on dated 04.06.2026,.
- xiv. That the land depicted by one of the license holders i.e., Sh. Naveen Kumar for the grant of license presently belongs to Sh. Rameshwar as per the latest revenue records and mutation made in his favour in compliance with the orders passed by the Hon'ble Court of Dr. Monika Khanagwal, Addl. Civil Judge (Senior Division), Jhajjar in Case No. CS-612-2015 decided on 29.04.2025. It is further stated that as per the said judgement Rect. No. 255 Killa Number 9, 12 min, 13min and 8 min total admeasuring 3 Kanal 4.4 Marla belongs to Rameshwar which has been wrongly stated to be owned by Sh. Naveen Kumar Dalal used for the grant of license from competent authorities. Also, being fully aware regarding the present facts and legal impediments, Satender and others are selling the plots in the said land thereby creating third party rights in a land which is in dispute before Hon'ble Court.

2. The representation was to reconsider the approvals and licenses granted by the Directorate of Town and Country Planning, Haryana and Real Estate Regulatory Authority, Panchkula in the interest of justice.

3. The Authority after consideration is of the view that in Appeal No. 120 of 2025 titled as Somesh Kumar Gupta and Rameshwar and others, the judgement and decree dated 29.04.2025 of trial court (in favour of Sh. Rameshwar and Khila Ram) has been set aside and the appeal of Sh. Somesh Kumar Gupta (who has executed the sale deed in favour of Sh. Vijay Kumar who subsequently transferred the land in favour of Sh. Naveen Dalal) has been accepted and allowed. Therefore, the representation may be filed. **Disposed of.**



True copy

Secretary (Acting),
HREERA, Panchkula

A copy of the above is forwarded to Advisor, HREERA Panchkula, for information and taking further action in the matter.

Handwritten signatures and dates:
26/8/26
STP
3/3
26/8