

BPTP Ltd. V/s M.C. Mittal

Appeal No. 362 of 2019

Present: Shri Hemant Saini, Advocate, Ld. counsel for the appellant.

Shri Mukesh Singh Tomar, Advocate, for Shri Nitin Kant Setia,
Advocate, ld. counsel for the respondent.

In view of the report of the office, the present appeal is hereby restored.

The present appeal has been adjourned sine die due to pendency of the RERA Appeal No. 15 of 2020 filed by the appellant-promoter against the order dated 19.02.2020 passed by this Tribunal. The said appeal has been dismissed by the Hon'ble High Court vide order dated March 14, 2022 and the appellant was granted eight weeks' time to make the pre-deposit.

As per the report of the office, the appellant has not deposited any such amount with this Tribunal. Eight weeks' time granted by the Hon'ble High Court has already expired. Thus, the appellant has failed to comply with the mandatory provisions of proviso to Section 43 (5) of the Real Estate (Regulation and Development) Act, 2016. So, the present appeal cannot be entertained and the same is hereby dismissed.

File be consigned to the records.

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

Inderjeet Mehta
Member (Judicial)

27.06.2022
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