

Dimple Cineplex Vs Abhijit Jasrasaria
Appeal No.438 of 2019

Present: Shri Dinesh Gupta, Sole Proprietor
of the appellant (on Telephone).

Shri P.K. Sachdeva along with
Shri Saksham Arora, Advocates
Ld. counsel for respondent No.1.

Shri Ajitshewar Singh, Advocate,
Ld. counsel for respondent No.2 (on telephone).

Office note perused.

The appeal is restored.

As per office report, the appellant-promoter has not so far deposited any amount to comply with the provisions of proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (for short, 'the Act'). The present appeal was adjourned *sine die* as the appellant has preferred Civil Writ Petition No.33867 of 2019 before the Hon'ble High Court against the order passed by this Tribunal. The said writ petition has been disposed of by the Hon'ble High Court vide judgment/order dated 16th October, 2020. It has been stated at bar that the SLP has been preferred against the said judgment/order passed by the Hon'ble High Court has been disposed of by the Hon'ble Supreme Court. Since the appellant has not complied with the mandatory provisions of pre-deposit, so the present appeal cannot be entertained and the same is hereby dismissed.

Copy of this order be sent to the concerned parties.

File be consigned to the record.

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

Inderjeet Mehta
Member (Judicial)

27.06.2022
Manoj Rana