

**BEFORE THE HARYANA REAL ESTATE APPELLATE  
TRIBUNAL**

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**Appeal No.846 of 2022  
Date of Decision: 01.06.2023**

M/s Asian Developers Limited through its Director Shri Dinesh Sharma through POA holder Anjali Sharma wife of Shri Dinesh Sharma, Registered Office: W-6, 3<sup>rd</sup> floor, Naveen Sharda Colony, New Delhi-110032.

Appellant

Versus

Shakti Singh Yadav, # 1213, Street No.4, Rajiv Nagar, Mata Road, Gurugram.

Respondent

**CORAM:**

Justice Rajan Gupta	Chairman
Shri Inderjeet Mehta,	Member (Judicial)

**Present:** Mr. Harsh Mehla, Advocate,  
for the appellant.

Mr. Akshat Mittal, Advocate,  
for the respondent.

**ORDER:**

**RAJAN GUPTA, CHAIRMAN:**

Pursuant to the order dated 01.05.2023, a report has been received from Haryana Real Estate Regulatory Authority, Panchkula (for short 'the Authority'). The same is reproduced as under:-

*“This has reference to the orders of Hon’ble Tribunal dated 01.05.2023. Complaint No.353 of 2020 titled as “Shakti Singh Yadav Vs. Asian Developers Ltd.*

## Appeal No.846 of 2022

*and Others” was filed on 20.11.2020. Reply on behalf of Respondent No.1 Asian Developers Pvt. Ltd. and Respondent No.2 Saera Auto India Pvt. Ltd. has not been filed so far. The complaint case is being adjourned for amicable settlement on the request of Respondent No.2. Now the said complaint is listed for hearing on 29.08.2023.*

*This may kindly be brought to the notice of Hon’ble Tribunal.”*

2. The appellant has challenged the order dated 28.06.2022 passed by the Authority. The main grievance of the appellant is that it was not allowed to file reply to the complaint. The prayer of the appellant is that law is well settled on the issue that a person who was proceeded ex parte, may join the proceedings at any stage. Learned counsel representing the respondent does not oppose this legal position.

3. In view of the above, we deem it fit to dispose of the appeal with liberty to the appellant to file a formal reply within six weeks from today. The Authority may consider the same and pass its final order.

4. It is made clear that liberty to file a reply would not be considered an expression on merits of the case or the locus standi of the appellant to represent M/s Asian Developers Limited.

## Appeal No.846 of 2022

5. The appeal is barred by delay of 98 days. Since, we have disposed of the appeal, no order need to be passed regarding condonation of delay.
6. The appeal is, thus, disposed of.
7. Copy of this order be communicated to the parties/learned counsel for the parties and the learned Authority.
8. File be consigned to the record.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Inderjeet Mehta  
Member (Judicial)

01.06.2023  
CL