

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No. 03 of 2023

BPTP Limited, Registered office, OT-14, 3rd Floor, Next Door Parklands, Sector-76, Faridabad-121004.

Appellant

Versus

1. Mohit Manchanda

2. Menka Pathria

Respondents no.1 & 2 R/o House no. 841, Ground Floor, Sector-5, Gurugram, Haryana-122001.

3. Avneesh Manchanda

Department of Food, Ferozepur City, Punjab.

Respondents

4. HDFC Ltd. Registered office SCO 153-155, Sector-8C, Chandigarh-160018.

Proforma Respondent

CORAM:

**Justice Rajan Gupta
Shri Inderjeet Mehta
Shri Anil Kumar Gupta**

**Chairman
Member (Judicial)
Member (Technical)**

Present: Mr. Hemant Saini, Advocate,
for the appellant.

Mr. Arun Singla, Advocate,
for respondents No.1, 2 and 3.

Mr. Yashvir Singh Balhara, Advocate,
for respondent No.4.

ORDER:

Rajan Gupta, Chairman:

The appellant is aggrieved by the order dated 28.09.2022 passed by the learned Adjudicating Officer,

Haryana Real Estate Regulatory Authority, Gurugram (hereinafter called 'the Adjudicating Officer') passed in complaint No. E/47/433/2018.

2. At the outset, learned counsel for the respondent nos.1, 2 and 3 has brought to our notice the order dated 03.01.2023 passed by the learned Adjudicating Officer. According to him, the order passed earlier on 28.09.2022 has been rectified therein. The same is taken on record as Mark-'A' and same is reproduced below for ready reference:-

“Learned counsel for the JD pointed out that as per order passed by Appellate Tribunal firstly the claim of the Appellant Corporation (HDFC) was to be satisfied and remaining amount was to be disbursed to respondent no. 2 to 3 i.e. allottees (DH). According to learned counsel, it was for the DH to tell as what was claim of HDFC? Learned counsel for latter (DH) undertakes to submit closure statement from the bank till next date, so that amount to be paid to the corporation is ascertained.

At the same time, learned counsel requests for direction to JD to disclose as what amount in the form of pre-emi, same paid to the corporation (HDFC) learned counsel for JD undertakes to give information in this regard till next date.

To come up on 14.02.2023 for further proceedings.”

3. In view of above, a query has been put to Mr. Saini, whether anything survives in the appeal. He fairly submits that his grievance stands redressed.

4. Thus, appeal stands disposed of having been rendered infructuous.

5. Copy of this judgment be communicated to both the parties/learned counsel for the parties and the learned Haryana Real Estate Regulatory Authority, Gurugram.

6. File be consigned to the record.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal,
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

16.03.2023
Manoj Rana