

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No. 431 of 2022

Date of Decision: 28.03.2023

Mr. Kashi Nath Shukla, H.No.C-35, Sector-30, Gautam
Buddh Nagar, Noida-201301.

Appellant

Versus

Mr. J.M. Chhabra, # 1184/1, 1st floor, Arjun Nagar, Kotla
Mubarakpur, New Delhi-110003.

Respondent

CORAM:

Justice Rajan Gupta
Shri Inderjeet Mehta
Shri Anil Kumar Gupta

Chairman
Member (Judicial)
Member (Technical)

Present: Mr. Yashvir Singh Balhara, Advocate,
for the appellant.

Mr. J.M. Chhabra – respondent in person.

ORDER:

RAJAN GUPTA, CHAIRMAN:

The present appeal is directed against the order dated 05.05.2022 passed by the Adjudicating Officer, Haryana Real Estate Regulatory Authority, Gurugram. The operative part thereof reads as under: -

“Even if, name of Mr. Kashi Nath Shukla is not mentioned as director/MD of JD from the evidence as described above, same appears to be over-all In-charge of JD. Considering all this, I allow the request of DH. Let warrants of arrest be issued against Mr. Kashi Nath Shukla for next date. Commissioner of Police, Gurugram is authorised to get him arrested.

Same be produced before this forum on or before next date.

I do not think it proper to take any coercive action against Shri Sanjay Kumar Shukla, at this stage.”

2. At the outset, Mr. Yashvir Singh Balhara, learned counsel for the appellant submits that no cause of action now survives in this appeal as Recovery Certificate has already been issued in favour of the allottee. He submits that he does not press this appeal any longer and same may be dismissed as withdrawn.

3. Ordered accordingly.

4. Allottee, Mr. J.M. Chhbara, however, submits that some directions may be given to the Adjudicating Officer/Executing Court for expeditious disposal of the execution proceedings. It is hereby directed the competent Court would endeavour to conclude the execution proceedings expeditiously.

Justice Rajan Gupta
Chairman,
Haryana Real Estate Appellate Tribunal,
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

28.03.2023

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