

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No. 402 of 2021
Date of Decision: 10.04.2023

Vinod Kumar, resident of 265, Pahari, Gurgaon (Haryana).

Appellant

Versus

SRS Real Infrastructure Pvt. Ltd., registered office at SRS Tower, 124-126, 1st Floor, Maharajpur, GT Road, Faridabad (Haryana)

Respondent

CORAM:

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

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

Present: Mr. Chandan Singh, Advocate,
for the appellant.

Respondent ex parte.

ORDER:

Rajan Gupta, Chairman:

The present appeal is directed against the order dated 03.12.2020 passed by the Adjudicating Officer, Haryana Real Estate Regulatory Authority, Panchkula (hereinafter referred as, 'the Adjudicating Officer) in Complaint No.3058 of 2019. The complainant (appellant herein) invoked the jurisdiction of the Adjudicating Officer for grant of compensation on four counts i.e.:

- i. Escalation of costs;

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- ii. Amount of rent;
- iii. Mental harassment;
- iv. Costs of litigation.

2. After considering the entire issues, the Adjudicating Officer found no substance in the claim of the appellant for grant of compensation. She, however, granted lump sum amount of Rs.25,000/- as costs of litigation.

3. Before this Tribunal, the appellant has contended that the Adjudicating Officer did not consider all the pleas raised by him. It erred in law as well as on facts while not accepting his claim in toto.

4. Respondent, however, remains unrepresented.

5. We have given due consideration to the matter and have come to the conclusion that there is no infirmity in the order passed by the Adjudicating Officer. No such evidence was brought before the Adjudicating Officer, which would entitle the appellant for the compensation as claimed.

6. Learned counsel for the appellant has not been able to convince us on the basis of record or any precedent that the appellant is entitled for compensation on four counts, as stated in the opening para of this order. Besides, learned counsel for the appellant himself apprised this Tribunal that the insolvency proceedings in this case been commenced and Interim Resolution Professional (IRP) has been appointed.

7. In view of above, the present appeal is hereby dismissed. The appellant is, however, at liberty to raise his grievance before the concerned forum.

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8. Copy of this order be sent to parties, learned counsel for the parties and the Authority.

9. File be consigned to the record.

Announced:
April 10, 2023

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

Manoj Rana