

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No.318 of 2022
Date of Decision: 11.10.2023

Anubhav Bansal, House No. 568, Sector 16 D, Chandigarh 160015.

Appellant

Versus

Sunrays Heights Private Limited, 211, Ansal Bhawan, 16, Kasturba
Gandhi Marg, Delhi 110001; Corporate Office at 41 District Centre,
Sector 56, Gurgaon (Haryana) 122001.

Respondent

CORAM:

**Justice Rajan Gupta
Shri Anil Kumar Gupta**

**Chairman
Member (Technical)**

Present: Mr. Arun Bansal, Advocate,
for the appellant.

Ms. Srishti Girdhar, Advocate,
for the respondent.

ORDER:

Rajan Gupta, Chairman (Oral):

Present appeal is directed against the order dated 08.09.2021 passed by the Haryana Real Estate Regulatory Authority at Gurugram (for short, the Authority). Operative part thereof reads as under:

“The present complaint was filed on 13.10.2020 i.e. before the due date of possession i.e; 16.03.2021 as per application from dated 01.06.2015. No cause of actin arises in favour of complainant before 16.09.2021, so the complaint being pre mature is dismissed.”

2. Mr. Bansal submits that as the aforesaid complaint was dismissed as pre mature, in the present appeal he would confine his prayer for grant of liberty to file a fresh complaint before the Authority and he would not press rest of the issues in the instant appeal. However, he submits that limitation may not stand in his way in view of the facts and circumstances of the case.

3. Learned counsel for the respondent has no objection to this.

4. Under these circumstances, prayer is accepted. The appeal is dismissed as withdrawn with liberty to file complaint afresh, if so advised.

5. Copy of this order be sent to the appellant/counsel for the appellant and the Authority, Gurugram for information.

6. File be consigned to the record.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Anil Kumar Gupta
Member (Technical)