



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

BEFORE ADJUDICATING OFFICER

EXECUTION NO. 3132 OF 2022

IN

COMPLAINT NO. 2615 OF 2019

Kamlesh Jain

....Complainant/Decree Holder

VERSUS

Parsvnath Developers Ltd.

....Respondent /Judgment Debtor

Date of Hearing: 03.10.2023

Hearing: 6th

Present: Mr. O.P. Gupta Adv. counsel for the decree holder
Mr. Narender Kumar Rana Adv., proxy counsel for the judgment debtor

ORDER

The case was fixed for compliance of order under execution. It has been stated by learned counsel for the complainant that the order is dated 02.02.2022 and till date the judgment debtor has not complied with the order and has not paid any amount. He has shouted in the open Court that '*kaise kaise afsar bitha rakhe hai jo decree execute nahi kara sakte*'. He again said with raised voice that as per Supreme Court directions, decree has to be executed within 6 months

Saqila Gupta

and now a number of months have passed and the Court is not able to get the decree executed. He has further shouted that he will go to Supreme Court. He has stated that he was 78 years of age and having vast experience of practice. I told him to behave properly in the Court and not to indulge into unnecessary argument.

2. Perusal of file shows that the present execution was filed on 13.12.2022 and it is 6th hearing. Vide order dated 06.04.2023 penalty of ₹1,000/- per day was already imposed upon the judgment debtor w.e.f. 06.04.2023 till order under execution is fully complied with. The counsel for decree holder has moved an application for attachment of property. Ld. counsel of decree holder has requested to issue recovery certificate in respect of property mentioned at 13(2) in execution complaint i.e. Office at Parsavnath Tower, Near Shahdara Metro Station, Shahdara, Delhi-110032.

4. Vide order dated 02.02.2022, respondent was directed to make entire payment of ₹ 33,25,864/- .

5. Despite being granted opportunity, respondent/judgment debtor has not complied with the order under execution. Therefore, recovery certificate be issued against the judgment debtor company through District Magistrate, Shahdara to attach property of judgment debtor company bearing details as under:

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Office at, Parsavnath Tower, Near Shahdara Metro Station, Shahdara, Delhi-110032.

to the extent of ₹ 33,25,864/- with a direction to recover the total amount of ₹ 33,25,864/- as arrears of land revenue and remit the same to the Authority after such recovery for further payment to the decree holder. The District Magistrate, Shahdara is requested to send compliance report to this Court.

6. Adjourned to **19.12.2023** for necessary compliance and awaiting report from the office of District Magistrate, Shahdara. Respondent is also directed to pay earlier imposed penalty of ₹ 25,000/- payable to the Authority and cost of ₹ 2000/- payable to the complainant.


(DR. SARITA GUPTA)
ADJUDICATING OFFICER