



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

BEFORE ADJUDICATING OFFICER

EXECUTION NO. 197 OF 2023

IN

COMPLAINT NO. 89 OF 2019

Piyush Heights Residents Tower J and K Association

....DECREE HOLDER

VERSUS

Piyush Buildwell India Ltd.

....JUDGMENT DEBTOR

Date of Hearing: 14.11.2023

Hearing: 5th

Present: -

Ms. Aishwarya Dobhal Advocate, Counsel for complainant-association (decree holders)
Mr. N. K. Jain, President of complainant-association
Mr. Mayank Aggarwal Advocate, counsel for the judgment debtor

ORDER

Learned counsel for decree holder has stated that three appeals bearing nos. 533, 824 and 858 of 2022 are pending adjudication before Hon'ble Appellate Tribunal for 19.12.2023 against the order under execution. She has stated that decree holder/association of allottees has

Smita Gupta

completed two towers namely, J and K of their own and handed over possession to the decree holders/allottees. The execution of conveyance deeds is pending in favour of all the decree holders. She has stated that appeals have been filed by judgment debtor (Piyush Buildwell India Ltd.) and Piyush Heights Residents Welfare Association regarding auction of scrap material lying at the site of the project. She has stated that application has been moved by her before Revenue Authority requesting that conveyance deeds may not be executed by the judgment debtor as Piyush Heights Residents Welfare association came into picture. She has informed that stay for auction of scrap material was granted by Hon'ble Appellate Tribunal vide order dated 20.12.2022 and the same has now been vacated vide order dated 21.09.2023. She has requested a date after 19.12.2023 i.e., the date fixed before Hon'ble Appellate Tribunal in above said appeals bearing nos. 533, 824, 858 of 2022.

2. Mr. Mayank Aggarwal Advocate, learned counsel for judgment debtor has placed on record his vakaltnama. He has stated that 37 conveyance deeds have already been executed by the judgment debtor after receiving outstanding dues by the allottees. He has stated that the judgment debtor company has filed appeal before Hon'ble Appellate Tribunal praying that conveyance deed would be executed in favour of decree holders only after receipt of outstanding dues. He has sought time after 19.12.2023 after that date fixed in above mentioned appeals.

3. Learned counsel for decree holders on one hand has stated that conveyance deeds are not being executed by judgment debtor and on the other hand, she had moved an application before the Revenue Authority that conveyance deeds be not executed. It has not been cleared by learned counsel for decree holders as to whether she wants conveyance deeds to be executed or not. However, a date has been requested by both the counsel for parties after the date fixed before Hon'ble Appellate Tribunal.
4. Since appeals are pending adjudication before Hon'ble Appellate Tribunal against order under execution, case is adjourned to 16.01.2024 awaiting final outcome in the aforementioned appeals.

Sarita Gupta

(DR. SARITA GUPTA)
ADJUDICATING OFFICER