

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No.152 of 2024
Date of Decision:22.03.2024

M/s Oriss Infrastructure Pvt. Ltd. Registered office at J-10/9,
DLF Phase-II, Mehrauli-Gurgaon Road, Gurugram-122002,
Haryana.

Appellant

Versus

1. Haryana Real Estate Regulatory Authority, New PWD Rest House,
Civil Lines, Gurugram, Haryana.

2. Godrej Properties Ltd. Registered office at Godrej One, 5th Floor,
Pirojshangar Eastern Express Highway, Vikhroli (East), NA Mumbai
Mumbai City MH 400079.

Respondents

CORAM:

Justice Rajan Gupta Chairman

Present: Mr. Gurminder Singh, Sr. Advocate,
Mr. Puneet Bali, Sr. Advocate (through VC) assisted by
Mr. Surjeet Bhadu, Advocate,
Mr. Veer Singh, Advocate,
Ms. Sanya Thakur, Advocate,
Mr. Agam Bansal, Advocate,
for the appellant.

Mr. Randeep Singh Rai, Sr. Advocate assisted by
Mr. Kunal Dawar, Advcoate,
Ms. Rubina Virmani, Advocate,
Mr. Kapil Madan, Advocate,
Mr. Vipul Sharma, Advocate,
Mr. Mayank Aggarwal, Advocate,
Ms. Radhika, Advocate,
for respondent no. 2.

ORDER:

Rajan Gupta, Chairman (Oral):

Present appeal is directed against the order dated
11.03.2024 passed by the Authority at Gurugram whereby
application moved by the appellant (M/s Orris Infrastructure Pvt.
Ltd.) opposing grant of RERA registration to the proposed project
namely "Godrej Zenith" floated by M/s Godrej Properties Ltd.

(respondent no.2 herein) in Sector 89, Gurugram, has been rejected.

2. Notice of the appeal was issued to the respondents.
3. Mr. Kunal Dawar accepted notice on behalf of respondent No.2 on the very first date of hearing.
4. In view of the urgency expressed, matter was directed to be listed on the next day.
5. It has been taken up for hearing today. Learned counsel for the parties have addressed at some length. Admittedly, several contentious issues are involved. As per learned counsel for the appellant, same require urgent adjudication.
6. A query has been put to learned counsel about the jurisdictional aspect in view of the relevant provisions contained in the Real Estate (Regulation and Development) Act, 2016.
7. Learned counsel are *ad idem* that the instant matter cannot be adjudicated upon in view of the provision.
8. Under these circumstances, Mr. Gurminder Singh, Sr. Advocate submits that he has clear instructions from the appellant to withdraw this appeal as the appellant intends to approach the appropriate forum as advised.
9. In view of above, the present appeal is dismissed as withdrawn.
10. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

22.03.2024
Manoj Rana