

<b>PROCEEDINGS OF THE DAY</b>		<b>17</b>
Day and Date	Tuesday and 16.04.2024	
Complaint No.	CR/347/2020/3765/2019 Case titled as Tawleen Kaur VS Assotech Moonshine Urban Developers Private Limited	
Complainant	Tawleen Kaur	
Represented through	Shri H.S. Gujral Advocate	
Respondent	Assotech Moonshine Urban Developers Private Limited	
Respondent Represented	Ms. Deepika Bahal Advocate	
Last date of hearing	Application for setting aside ex parte order	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

#### **Proceedings-cum-orders**

The present complaint was disposed off vide order dated 22.09.2021 with the directions of delayed possession charges.

The respondent has filed an application on 22.02.2024 stating that the aforesaid complaint was decided ex-parte vide order dated 22.09.2021 for its nonappearance before this Hon'ble Court. On 20.07.2021, part arguments were heard in the present matter and the matter was adjourned for further proceedings to 31.08.2021, however since the coram was not complete, the matter was adjourned to 22.09.2021 for further proceedings.

When the applicant checked the list of pending case, the applicant came to know about a execution petition before registration no.4939 of 2022 is pending before the Adjudicating Officer on 17.01.2023 and the counsel appeared on this date and asked for a copy of execution petition.

Thereafter, 17.01.2023, the counsel for the applicant filed application for inspection of the court file and subsequently applied for the certified copy of the complaint, rejoinder and order dated 22.09.2021 on 27.03.2023, however the applicant has not received the same till date.



**HARERA**  
**GURUGRAM**

**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
**GURUGRAM**

हरियाणा मू-संपदा विनियामक प्राधिकरण, गुरुग्राम

CA/347/2021-2022/2023/2024

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी. इन्सु. सी. विभाग गृह, सिविल लाईन्स, गुरुग्राम, हरियाणा

Therefore praying with the relief of that the order dated 22.09.2021 be set aside and the respondent be given the opportunity to be heard on merits.

The authority observes that the detailed order under question was passed on 22.09.2021 and an application for recalling of the same has now been filed on 22.02.2024. There is no provision under the Act 2016 which allows the Authority to review its own order. The appropriate course of action for the applicant would have been to approach the Appellate Authority.

In view of the above, finding no merit in the case, the application for setting aside ex-parte order dated 22.09.2021 is hereby dismissed. File be consigned to the registry.

  
Ashok Sangwan  
Member

  
Vijay Kumar Goyal  
Member

  
Arun Kumar  
Chairman  
16.04.2024