



**HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA**

Website: www.haryanarera.gov.in

**BEFORE ADJUDICATING OFFICER**

**EXECUTION NO. 70 OF 2023**

**IN**

**COMPLAINT NO.89 OF 2019**

Poonam Rathore

....DECREE HOLDER

**VERSUS**

Piyush Heights Residents Tower J and K Association

....JUDGEMENT DEBTOR No.1

Piyush Buildwell India Ltd.

....JUDGEMENT DEBTOR No.2

Piyush Heights Residents Welfare Association

....JUDGEMENT DEBTOR No.3

**Date of Hearing: 09.04.2024**

**Hearing: 8<sup>th</sup>**

**Present:**

Mr. Roop Singh Advocate, Counsel for decree Holder through VC

Ms. Aishwarya Dobhal Advocate, counsel for judgement debtor no.1

Mr. Mayank Aggarwal Advocate, counsel for judgement debtor no.2 through VC

Mr. Anjan Nayak, Estate Manager for judgement debtor no.3 through VC

*Forite Gupta*

**ORDER:**

Case was fixed for issuing notice to judgement debtor no.2 and 3 for appearance and arguments on application filed by decree holder for payment of rent to decree holder.

2. Upon notice Mr. Mayank Aggarwal Advocate has appeared on behalf of judgement debtor no.2. Mr. Anjan Nayak, Estate Manager has appeared on behalf of judgement debtor no.3.

3. Learned counsel for decree holder has argued that he has filed application pressing for amount of rent to be paid till the time possession is handed over to decree holder. He has requested to pass order on the said application. He has also argued that scrap material be removed from his flat by Piyush Heights Residents Tower J and K Association and possession be handed over to him.

4. Learned counsel for judgement debtor no.1 has objected that appeals are already pending before Hon'ble Appellate Tribunal and scrap material will be removed and auctioned after some appropriate order is passed by Hon'ble Appellate Tribunal.


5. Learned counsel for judgement debtor no.2 and Mr. Anjan Nayak, Estate Manager for judgement debtor no.3 has stated that they have

no objection in removing scrap material if it be placed on a safe place in the society.

6. On being asked about bearing cost for removing scrap material from one place to another, judgement debtors have requested some time to seek instructions in this regard. Learned counsel for decree holder has stated that he is ready to bear cost on behalf of judgement debtor no.2 i.e. Piyush Buildwell India Ltd.

7. After hearing arguments and statements made by counsel for all parties, Judgment debtors are directed to remove scrap material from the flat of the decree holder and hand over possession to decree holder. Regarding payment of cost for removing scrap material, all three parties are directed to bear cost in the ratio of one fourth of the total cost.

8. Adjourned to 08.07.2024.

  
(DR. SARITA GUPTA)  
ADJUDICATING OFFICER