

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

**Appeal No. 676 of 2023
Date of Decision: 27.09.2024**

Kuljinder Singh Virk S/o Sh. K.S.Virk, R/o K-1/401, Amber Court, Essel Tower, M.G. Road, Gurgaon.

Appellant

Versus

M3M India Limited, Registered office at Paras Twin Towers, Tower-B, 6th Floor, Sector-54, Golf Course Road, Gurgaon-122002.

Respondent

CORAM:

Justice Rajan Gupta Chairman

Present: Mr. Ajay Ghangas, Advocate,
 for the appellant.

ORDER:

RAJAN GUPTA, CHAIRMAN (ORAL):

Challenge in the present appeal is to order dated 08.08.2023, passed by Haryana Real Estate Regulatory Authority, Gurugram (hereinafter referred to as 'the Authority').

2. Challenge is posed *inter alia* on the ground that the Authority has failed to appreciate the facts of the case and the order is non-speaking.

3. Vide order dated 24.04.2024, a report was called from the Authority whether any detailed order had been passed after the order dated 08.08.2023, impugned herein.

4. A report dated 29.04.2024 has been received, as per which the complaint was dismissed by the aforesaid order, which happens to be a one line order.

5. A perusal of the order shows that neither facts have been stated therein nor the questions raised by the appellant have been dealt with. The order is not only non-speaking but wholly cryptic. It is inexplicable how a detailed complaint preferred by an allottee can be dealt with in such a manner by the Authority.

6. In view of the above, the impugned order is set aside. The matter is remitted to the Authority at Gurugram for decision afresh.

7. Mr. Ghangas submits that in the meanwhile, there may have been settlement between the parties. However, despite number of opportunities, appellant has failed to appear before this Bench. As per Mr. Ghangas, the allottees have not contacted him either.

8. The Authority would be at liberty to examine the issue of settlement.

9. The appeal is allowed in the manner indicated above.

10. File be consigned to the record.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

27.09.2024
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