

M/s TDI Infrastructure Ltd. V/s Manoj Suneja

Appeal No. 472 of 2019

Present: Sh. Tarun Sharma, Advocate, for Sh. Rajnish Singh, Advocate,
ld. counsel for the appellant.

Sh. Satish Mishra, Advocate, ld. counsel for the respondent.

The response to objection petition filed by the respondent has not been filed by the appellant. A date is requested by ld. proxy counsel. As per the objections filed by the respondent, there is deficiency of huge amount. The appellant was required to file their response in writing coming out with their own calculations in response to the calculations given by the respondent. So, for this lapse of the appellant, the appellant is burdened with a costs of Rs. 15,000/-. The response on behalf of the appellant to the calculations submitted by the respondent be filed in the office within ten days.

In the meanwhile, it has been brought to our notice that the respondent/allottee has moved an application for clarification of the order to the ld. Authority with respect to the time period for calculation of the interest for delayed possession. Ld. counsel for the respondent states that the said application is still pending with the Authority.

We have also perused the impugned order. The Authority has not mentioned any period for the calculation of interest for delayed possession. The respondent should press their application before the ld. Authority for giving the necessary clarification at the earliest. This Tribunal is also facing problem in order to work out the exact amount required to be deposited not in this case but various other cases also. It is the duty of the authority to pass the clear and specific orders with respect to the period of interest and the amount accrued.

Now the case to come up on 06.12.2019 for consideration.

Justice Darshan Singh (Retd.)
Chairman,
Haryana Real Estate Appellate Tribunal,
Chandigarh
22.11.2019

Anil Kumar Gupta
Member (Technical)
22.11.2019