



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

BEFORE ADJUDICATING OFFICER

Execution No. 499 of 2022

In

Complaint No. 3044 of 2019

Raj Kumar

.....DECREE HOLDER

VERSUS

TDI Infrastructure Ltd.

.....JUDGMENT DEBTOR

Date of Hearing:- 19.12.2024

Hearing:- 10th

Present:- None for decree holder.


Mr. Rahul Diwan, Adv., proxy for Mr. Shubhnit Hans, Adv.,
for judgement debtor.

ORDER

Today, case is fixed for placing on record copy of order passed by Hon'ble Appellate Tribunal as proof of pre-deposit by the judgment debtor. As per office report, same has not been given till date.


2. Learned counsel for judgment debtor has stated that the appeal no. 539 of 2023 is listed before Hon'ble Appellate Tribunal on next date of hearing i.e. 09.01.2025.

Case called several times but none has appeared on behalf of decree holder in compliance of order dated 25.07.2024. It is already


19/12/2024

04:00 PM. No further wait is justified. Hence, the present execution petition is dismissed in default for want of prosecution in view of the provisions of Order 21 Rule 105 of CPC, as this Forum while exercising the power under Section 40 of the RERA Act, 2016 read with Rule 27 of HRERA, Rules, 2017, is competent to act as a Civil Court, to execute the order as if it is a decree. Similarly, the judgment debtor is also proceeded against ex-parte due to non-appearance.

File be consigned to record room after uploading the order on the website of the Authority.


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MAJOR PHALIT SHARMA
ADSJ(Retd.)
ADJUDICATING OFFICER

19.12.2024