

GLS Infratech Pvt. Ltd.
Vs.
Anwar Imran Khan and others
CM No. 437 of 2024
In Appeal No.30 of 2023

Present: None for the appellant.

Ms. Pooja Pandey, Advocate,
for the applicants-respondents.

CM NO.437 OF 2024

This is an application for correction in the name of Respondent No.1. Application is supported by an affidavit of Anwar Imam Khan. Learned counsel for the applicants states that instead of Anwar Imran Khan, the name should be mentioned as Anwar Imam Khan. Paras 3 and 4 of the application read as under:

“3. That the appellant inadvertently while filing the appeal before this Hon’ble Tribunal have written the name of respondent no.1 as Inwar Imran Khan but the actual name of the respondent no.1 is Anwar Imam Khan. The aadhar card of the respondent No.1 is annexed herewith as Annexure A-2.

4. That due to this, the amount ordered by this Hon’ble Tribunal vide order dated 23.08.2023 could not be released to the respondent no.1.”

2. Learned counsel for the applicants submits that an error has crept due to mistake of the counsel himself.

3. On the last date of hearing, Mr. Pandey sought time to place on record an affidavit of Mr. Sahil Goel, who represented the respondents before the Authority below. He has filed the same, which reads as under:

CM No. 437 of 2024
In Appeal No.30 of 2023

“1. That the above noted case is pending before this Hon'ble Court and fixed for 12.12.2024.

2. That the respondent moved an application for recalling/ modification of the Judgement dated 17.08.2023 passed in Appeal No. HREAT 30 of 2023.

3. That the Hon'ble Court vide order dated 13.08.2024 had ordered that an affidavit of the counsel shall also be filed in support of application for rectification / correction.

4. That the court below has written the actual and correct name of the applicant as Anwar Imam Khan vide order dated 09.08.2022 in complaint no. 3792 of 2020. Hence the authority below was not made the same mistake.

5. That the deponent is the counsel of respondent and the appellant inadvertently while filling the appeal before this Hon'ble Tribunal have written the name of respondent No.1 as Anwar Imran Khan but the actual name of the respondent No.1 is Anwar Imam Khan.

6. That due to this, the amount ordered by the Hon'ble Tribunal vide order dated 23.08.2023 could not be released to the respondent No.1.

7. That by this affidavit the deponent craves the indulgence of this Hon'ble Court for the modification of his name as Anwar Imam Khan which is the actual name of the respondent No.1.”

CM No. 437 of 2024
In Appeal No.30 of 2023

4. In view of above, application (CM No.437 of 2024) is hereby allowed. Necessary correction in the parties name be carried out. However, before releasing the amount pursuant to order dated 17.08.2023 passed by this Bench, the parties would appear before the Authority, which would release the amount after due verification.

5. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)

20.01.2025
Manoj Rana