



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

**BEFORE THE ADJUDICATING OFFICER  
EXECUTION NO. 400 OF 2023  
IN  
COMPLAINT NO. 136 OF 2021**

Sanjeev Tomer & Shaily Tomer

....DECREE HOLDERS

VERSUS

BPTP Ltd & New Age Town Planners Ltd

....JUDGMENT DEBTOR

**Date of Hearing: 18.11.2024**

**Hearing:** 7<sup>th</sup>

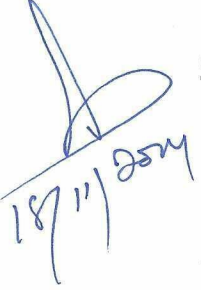
**Present:** None for the Decree holders.  
Mr. Hemant Saini Advocate with Mr. Himanshu Monga  
Advocate, Counsel for the judgment debtor

**ORDER**

Today, case is fixed for the awaiting report of final settlement.


2. Learned counsel for judgment debtor has informed that settlement talks are going on between the parties which is yet to be finalized and requested a short date for the same.

However, none has appeared on behalf of the decree holder for the last six dates of hearing. Case called several times. It is already 03:00 PM. No further wait is justified. Hence, the present

  
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execution petition is **dismissed in default** for want of prosecution in view of the provisions of Order XXI 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 exercise powers of a Civil Court, in the same manner as Civil Court is dealing with execution of a civil decree.

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

  
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**MAJOR PHALIT SHARMA**  
**ADSJ(Retd.)**  
**(ADJUDICATING OFFICER)**

**18.11.2024**