



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA
BEFORE ADJUDICATING OFFICER

Website: www.haryanaeraa.gov.in

EXECUTION NO. 501 OF 2023

IN

COMPLAINT NO.1394 OF 2021

Akansha Sharma

.... DECREE HOLDER

VERSUS

Vatika Ltd.

....JUDGMENT DEBTOR

Date of Hearing: 19.11.2024

Hearing: 8th

Present: -

None for decree holder.

Ms. Vertika H Singh Advocate, for judgment debtor
through VC.

ORDER

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

2. Learned counsel for the judgment debtor stated that no settlement is arrived at and further draw attention of this Forum to the order dated 17.08.2022 of Hon'ble Authority under execution to claim that the decree holder has added few pages in the order under execution.


3. To strengthen the statement, she drew attention of this Forum to para 13, page 18 of the execution petition wherein it is shown that the petition


19/11/2024

stands disposed of and then on the next page para 5 starts which cannot be because once as per para 13, the petition was disposed off, how could fresh serial no.5 start having same order of disposing off the petition at serial no.5 of page no.19 of the order.

This Forum after having gone through the contents of the order under execution, confronted to learned counsel for the judgment debtor to show that her statement to this effect is misleading because in fact, para 13 which she referred to, pertain to another order of Hon'ble Authority passed in other case referred at para 4 of the order, wherein means para 13 was reproduction of the contents of an order passed in Complaint no.343 of 2021 case titled as "Tanya Mahajan versus Vatika Ltd." and not in this case. Further, as per record, para 5 at page 19 of the order, is the observations of Hon'ble Authority pertaining to the matter under consideration, order of which is for execution before this Forum. So, learned counsel is cautioned not to mislead the Forum in the manner she has tried to, may be inadvertently.


Case called several times but none has appeared on behalf of the decree holder. It is already 04:00 PM. No further wait is justified. Hence, the present execution petition is **dismissed in**


19/11/2023

default due to non-appearance of both parties 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 act as a Civil Court, to execute the order as if it is a decree.

File be consigned to consigned record room.

19.11.2024


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MAJOR PHALIT SHARMA
ADSJ(Retd.)
ADJUDICATING OFFICER