



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

BEFORE ADJUDICATING OFFICER

Execution No. 1853 of 2022

In

Complaint No. 1539 of 2019

Satish Sardana

....DECREE HOLDER

VERSUS

TDI Infrastructure Ltd

...JUDGMENT DEBTOR

Date of Hearing:- 25.11.2024

Hearing:- 10th

Present:- Mr. Vikas Deep, Adv., proxy for Ms. Nidhi Jain,
for decree holder through video conferencing.
Mr. Rahul Diwan, Adv., proxy for Mr. Shubhnit Hans,
for the judgment debtor.

ORDER

Today, case is fixed for filing an application by the decree holder to seek additional interest as has already received the decretal amount. It is fifth opportunity to file the same.

2. Learned counsel for the decree holder has sought another opportunity for filing such application which is highly objected to by Ld. counsel for the

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Judgement debtor on the ground that despite having received entire decretal amount, the decree holder is unnecessarily delaying the disposal of execution by simply seeking adjournments to file application which otherwise is not going to have any merit in this case. Hence, he prayed to dispose of the execution being fully satisfied.

Heard.

This execution petition was filed on dated 29.07.2022 and as per records and also an admitted fact that total decretal amount has been received by the decree holder. It is also evident from the record that since dated 12.12.2022, the decree holder has time and again been seeking adjournments to file application to claim additional interest but never filed the same despite today being 5th opportunity given.

3. In the given circumstances, this Forum in execution petition exercising its powers under section 40 of the RERA Act, 2016 & Rule 27 of Rules, 2017, is of the view that the decree holder has nothing to claim in addition after receipt of decretal amount, which is the reason seeking adjournments to file such application without any effective steps taken. Consequently, it is presumed that the decree holder has nothing to claim as additional interest since already received the decretal amount, so, continuing with execution proceeding anymore would not be


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of any help to either of the party. Resultantly, the present execution petition is **disposed off** treating it to be satisfied. File be consigned to record room after uploading the order on the website of the Authority.

25.11.2024

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MAJOR PHALIT SHARMA
ADSJ (Retd.)
ADJUDICATING OFFICER

