



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

BEFORE ADJUDICATING OFFICER

EXECUTION NO. 2734 OF 2023

IN

COMPLAINT NO. 787 OF 2021

Scema Mittal

...DECREE HOLDER

VERSUS

Raheja Developers Ltd.

...JUDGMENT DEBTOR

Date of Hearing:- 26.11.2024

Hearing:- 4th

Present:- None for the decree holder.
None for the judgment debtor.

ORDER

Today, case is fixed for issuing attachment of the bank account of the judgment debtor after providing details of bank account of the judgment debtor by the decree holder. The same has not been provided.

2. Sh. Lalman Yadav, Advocate appeared through video conferencing to claim that he is appearing for judgment debtor but when questioned about his

power of attorney or memo of appearance as not on record, he did not have any answer to give but requested a date.

Since, Sh. Lalman Yadav, Advocate has no power of attorney or memo of appearance issued by judgment debtor in accordance with procedure laid, he cannot be treated as a counsel for judgment debtor. In the given circumstances, it is held that none appeared on behalf of the judgment debtor as had not been appearing since the last three hearings.

Case called several times but none has appeared on behalf of decree holder as well as judgment debtor. It is already 04:00 PM. Perusal of last dates of hearing dated 04.03.2024, 08.07.2024 and 09.09.2024, none has appeared on behalf of either parties nor there is any appearance today. Hence, no further wait is justified. Consequently, the present execution is **dismissed in default** for want of prosecution on the part 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 exercise powers of a Civil


26/11/2024

Court, in the same manner as Civil Court is dealing with execution of a civil decree.

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



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MAJOR PHALIT SHARMA
ADSJ(Retd.)
ADJUDICATING OFFICER

26.11.2024