



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

**BEFORE THE ADJUDICATING OFFICER
EXECUTION NO. 2389 OF 2022
IN
COMPLAINT NO. 2910 OF 2019**

Pradeep Kumar Jindal

....DECREE HOLDER

VERSUS

Bigjos Infra Estate Ltd.

....JUDGMENT DEBTOR

Date of Hearing: 05.12.2024

Hearing: 9th

Present: None for the decree holder.
Mr. Hemant Saini, Advocate with Ms. Neha, Advocate, for
the Judgement debtor.

ORDER

Today, the case is fixed for arguments on the issue whether or not the amount received from the Bank be released in favour of the decree holder of this execution petition no. 2389 of 2022 titled as "Pradeep Kumar Jindal versus Bigjos Infra Estate Ltd." and decree holder in another execution no.2545 of 2022 titled as "Anita Jindal versus Bigjos Infra Estate Ltd." fixed for today in equal share, despite pendency of an appeal filed by the judgment debtor wherein no stay has been granted in favour of the appellant i.e. the present judgment debtor.

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

Let, the file be consigned to record room after uploading order on the website of Hon'ble Authority.


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MAJOR PHALIT SHARMA
ADSJ (Retd.)
ADJUDICATING OFFICER

05.12.2024