

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No.411 of 2023

Date of Decision: February 07,2025

TDI Infrastructure Limited, Second Floor, Mahindra Tower,
2A, Bhikaji Cama Place, New Delhi-110066

Appellant.

Versus

Shilpa Gupta, Flat No. 188, Kadambari Apartments Sector 9,
Rohini, Delhi-110085

Respondent

Present : Mr. Shubhnit Hans, Advocate for the appellant.
Respondent-Shilpa Gupta in person.

CORAM:

Justice Rajan Gupta
Rakesh Manocha

Chairman
Member (Technical)
(Joined through VC)

ORDER:

RAJAN GUPTA, CHAIRMAN (ORAL):

Present appeal is directed against order dated 17.05.2022, passed by the Authority¹. Operative part thereof reads as under:

“4. As per calculations made by Accounts Branch, amount payable by the respondent to the complainant along with interest has been worked out to Rs.47,33,922/- (Rs.26,77,515/- + Rs.20,56,407/-). Therefore, Authority directs the respondent to refund Rs.47,33,922/-.

5. The respondent shall pay the entire amount to the complainant within 90 days of uploading this order on the web portal of the Authority.

¹ Haryana Real Estate Regulatory Authority, Panchkula

Disposed of in these terms. File be consigned to the record room and the order be uploaded on the website of the Authority.”

2. At the out-set, Mr. Shubhnit Hans submits that he has clear instructions from the appellant-company to refund the amount due to the allottee as per the aforesaid order.

3. The respondent-allottee, who is present in Court, submits that she shall be satisfied if the amount as decided by the Authority is remitted to her.

4. Admittedly, the allottee has already preferred an execution petition before the Adjudicating Officer at Panchkula.

5. In view of the above, it would be in the interests of justice if a direction is issued to the executing court to expedite the proceedings and ensure that the same culminate in a fixed-time frame, in any case not later than four months, after opportunity of hearing is afforded to the parties. Ordered accordingly.

6. The amount of pre-deposit made by the appellant at the time of filing of appeal along with interest accrued thereon be remitted to the Authority, to be retained by it till the culmination of execution proceedings, to be disbursed as per entitlement.

7. The appeal stands disposed of.

8. File be consigned to the record.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)
(Joined through VC)

February 07, 2025/mk