



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

BEFORE ADJUDICATING OFFICER

COMPLAINT NO. 595 OF 2021

HRERA, Panchkula

....DECREE HOLDER

VERSUS

M/s Raheja Developers Ltd.

...JUDGMENT DEBTOR

Date of Hearing:- 04.03.2025

Hearing:- 15th

Present:- Mr. Shubham, Representative, for the decree holder.
None for the judgment debtor.

ORDER


Present Suo-Motu complaint has been received by transfer from project section of Hon'ble Authority, which was registered against promoter/judgment debtor for providing different information by it in online Performa-A-H and hard copy of application submitted while getting registration of the project. Due to non-appearance of judgment debtor and for not filing any reply, penalty of ₹5.50/- lacs was imposed by Hon'ble Authority, which is also not paid till date.

2. The perusal of file indicate that the decree holder has sought execution of Authority's order dated 18.12.2024, which means, no show cause notice to judgment debtor is required to be issued in view of the provisions of Order XXI Rule 22(a) CPC amended vide Notification No.125-Gaz-XI-Y-14 of 07.04.1932, as execution of the order has been filed within one year of the question.

3. Decree holder is directed to submit verified details of movable or immovable property of judgment debtor situated within the jurisdiction of this Forum, within 15 days from today to get the same attached for recovery of the decretal amount. However, such details must be duly supported by an affidavit of the decree holder to say that the details of the property sought to be attached legally stand in the name of the judgment debtor. Such directions have been passed to ensure that the property standing in the name of the judgement debtor is only got attached. He is further directed that the property sought to be attached must be situated within the territorial jurisdiction of this Court to avoid any legal hitch to give satisfaction to the order sought to be executed. It is further directed that the details of "Separate account" (ESCROW account), which is to be utilized for the construction of the project, should be avoided because legally its attachment order may cause prejudice to the other co-allottees of the project.

In alternate, decree holder may move an application under Order XXI Rule 41 Civil Procedure Code, or, Order XXI Rule 37 Civil Procedure Code after having met with requirement of issuance of warrants of arrest laid in Section 51, Order XXI Rule 11(A), Rules 30 and 40 Civil Procedure Code, or, any other relevant provision provided under Civil Procedure Code, to get the execution satisfied at the earliest.

Let, warrant of attachment be issued returnable on or before **11.08.2025**, if details of the property as ordered, is filed by the decree holder within stipulated time.


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MAJOR PHALIT SHARMA
ADSJ(Retd.)
ADJUDICATING OFFICER
04.03.2025

Narinder Kaur
(Law Associate)