



# HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

**BEFORE ADJUDICATING OFFICER**

**EXECUTION NO. 2591 OF 2023**

**IN**

**COMPLAINT NO. 2502 OF 2022**

Uma Khanna

....Decree Holder

VERSUS

Movish Realtech Pvt. Ltd.

....Judgment Debtor

**Date of Hearing:** 20.03.2025

**Hearing:** 5th

**Present:** Mr. Kunal Thapa, Adv., for the decree holder through VC.  
Ms. Navneet, Adv., proxy for Mr. Kamaljeet Dahiya, Adv.,  
for the judgment debtor through VC.

**ORDER**

Today, the case is fixed for providing verified details of bank account/property of the judgment debtor by the decree holder for the purpose of its attachment to recover the decretal amount or also filing application under Order XXI Rule 41 CPC. The same has not been provided yet.

2. Ld. counsel for the decree holder has submitted that he has moved two applications, one under Order XXI Rule 37 for issuance of show cause notice to judgment debtor for non-compliance; second under Order XXI Rule 41 vide which the judgment debtor is asked to provide bank details and of unsold inventory of the project, "The Cubix" situated at Dharuhera, Haryana.

On the other hand, ld. proxy counsel for the judgment debtor has informed the forum that copies of the applications have not been received by the judgment debtor and requested that copy of the said applications be supplied to her to file reply.

Ld. counsel for the decree holder has supplied copy of the applications to ld. proxy counsel for the judgment debtor through mail. Otherwise also, office report bely the statement of ld. proxy counsel for the judgment debtor that copies not supplied in advance as report of E-mail ID of the judgment debtor, reflects that copies were supplied through its mail to judgment debtor in advance.

Now, case is adjourned to 26.08.2025 to enable judgment debtor to file reply to the application under Order XXI Rule 37 and affidavit in compliance of Order XXI Rule 41 and then for consideration.

4. Before, parting with this order, this forum in support of long date for hearing given and in the interest of justice, proper management of work on day-to-day basis, put it on record that execution petitions, if reasonable in number for disposal, with every executing court/forum, it is required to dispose it of within stipulated period as far as possible until and unless it has recordable reasons to travel beyond that stipulated period of six months fixed by Hon'ble Apex Court in Rahul S. Shah vs Jitendra Kumar Gandhi (2021) 6 SCC 418 case. Since, this forum in execution has approximately 1387 number of

executions and around the same number is expected to be received back in compliance of notification No. 50/15/2024-5S(1) dated 11.05.2024 for further proceedings, and Forum functions on fixed days in a week, and has to synchronise with the calendar issued by Hon'ble High Court Chandigarh, a request of bar already accepted by Hon'ble Authority and Hon'ble Appellate Tribunal Chandigarh, and besides that has other quasi-judicial work to perform as an Adjudicating Officer with regard to grant of compensation and interest, it is humanely not possible to give short dates in execution. Because, if causelist on a particular day is not manageable, no court or forum can do justice by passing an effective order in each and every file, which is the reason even Hon'ble High Court Rules and Regulations emphasis to have a balance causelist on a working day so that the presiding officer could manage the court properly to give best possible results on judicial and administrative side. Undoubtedly, if a long date is given, the petitioner feels bad, but if on the given date of hearing an effective order to meet the ends of justice is passed, the party before it gets sigh of relief, and that could only be possible if this forum instead of burdening the causelist, give manageable date of hearing so that legally required action is taken in each and every execution petition or other petitions, to ensure that the matter is disposed of within reasonably possible time. Hence, at the end, it is concluded that long date of hearing is given to have proper management of work and also to do justice in each and every file fixed for the day by passing constructive orders. Otherwise, short dates given by this forum which is already

highly burdened with the number of executions pending and is likely to receive more in number to proceed further, would amount to hurry burry, thus prejudicial to the interest of litigants. However, this Forum would be taking all possible steps in times to come to dispose of the matter at the earliest in accordance with law, so that the petitioner before it, is not made to suffer for no fault of its any longer, because of hurdles created by the judgment debtor by prima facie misusing the process of law or misinterpreting the statutory provisions.

5. Now, to come up on dated 26.08.2025, for the purpose described at para no. 3 above.

  
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**MAJOR PHALIT SHARMA**  
**ADSJ (Retd.)**  
**ADJUDICATING OFFICER**  
**20.03.2025**

Sourabh  
Law Associate