

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

**Appeal No.176 of 2024 (O&M)
Date of Decision: April 04, 2025**

Yogender Kumar Gupta son of Shri Dwarka Prasad resident of F-12/3, Model Town-2, North-West Delhi, Delhi 110009

Appellant.

Versus

M/s Godrej Real View Developers Private Limited, Godrej One, 5th Floor, Pirojshanagar, Eastern express Highway, Vikhroli (East), Mumbai, Maharashtra 400079

Respondent

**CORAM: Justice Rajan Gupta
Shri Rakesh Manocha**

**Chairman
Member (Technical)**

Present: Ms. Preeti Manderna, Advocate,
for the respondent.

:O R D E R:

RAJAN GUPTA, CHAIRMAN (Oral):

Mr. Saurbh Gauba, Advocate has put in appearance on behalf of the respondent.

CM No.310 of 2024

This is an application (CM No.310 of 2024) seeking condonation of 127 days' delay in filing the appeal. Same is supported by an affidavit of the appellant-Mr. Yogender Kumar Gupta.

2. Learned counsel for the respondent has not seriously opposed the prayer for condonation of delay.

3. On perusal of the application, sufficient cause is made out for condoning the delay in filing the appeal. Accordingly, application (CM No.310 of 2024) is allowed. Delay of 127 days in filing of the instant appeal is hereby condoned.

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Main Appeal

Present appeal is directed against order dated 22.09.2023 passed by the Authority¹. Same reads as under:-

“The present complaint has been received on 26.08.2022 and the reply was received on 11.08.2023.

Complaint stands dismissed since there is no proof/receipt of having paid any money or any application form or allotment, hence the matter stands disposed off. File be consigned to the registry.”

*Sanjeev Kumar Arora
Member
22.09.2023”*

2. Learned counsel for the appellant has challenged the aforesaid order on the ground that the same is short and cryptic in nature, besides there is no application of mind. She, thus, submits that the matter be remitted to the same Authority for decision afresh.

3. Learned counsel for the respondent, however, submits that the order is sustainable in nature.

4. We have heard learned counsel for the parties and given careful thoughts of the case.

5. We are of the considered view that the order appears to have been passed post-haste. Neither any facts have been narrated therein nor any detailed reasons have been assigned for dismissing the complaint. Such an order is wholly unsustainable. Same needs to be set aside and the matter needs to be remitted to the same Authority for decision afresh after affording opportunity of hearing to both the parties. Ordered accordingly.

6. Appeal is allowed in these terms.

7. Parties are directed to appear before the Authority on

¹ Haryana Real Estate Regulatory Authority, Gurugram

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01.05.2025.

8. Needless to observe that in view of the delay already occasioned, the Authority would make endeavour to decide the matter as expeditiously as possible in any case not later than three months.

9. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)
(joined through VC)

04.04.2025
Manoj Rana