

HDFC Vs. Pankaj Gupta  
Appeal No.175 of 2019

Present: Ms. Parul Chadha, Advocate, for Shri Shekhar Verma, Advocate, learned counsel for the appellant.  
Shri Rajesh Arora, Advocate, ld. Counsel for respondent no.1.  
Shri Akshat Mittal, Advocate, ld. counsel for respondents no.2 to 4.

The present appeal has been preferred by the Housing Development Finance Corporation Limited against the order dated 07.12.2018 passed by the learned Haryana Real Estate Regulatory Authority, Gurugram (hereinafter called 'the Authority'). Though, the appellant was not party to the complaint before the learned Authority, it is alleged that the appellant is aggrieved with the directions given by the learned Authority in the impugned order dated 07.12.2018. Hence, this appeal.

2. The main grievance of the appellant is with respect to the direction given by the learned Authority in para no.26(iii) which reads as under: -

*“ (iii) The respondent is further directed to make payment of the loan EMIs as per the terms of memorandum of understanding and tripartite agreement dated 20.06.2015 to the HDFC bank, till the offer of possession.”*

3. The interest of the appellant can be well safeguarded if it is clarified that the observations/directions given by the learned Authority in the aforementioned para

of the impugned order will not adversely affect the rights of the appellant against respondent no.1/allottee as per the tripartite agreement dated 20.06.2015 and the loan documents. With these observations/modification, the present appeal stands disposed of.

4. File be consigned to records.

Justice Darshan Singh (Retd.)  
Chairman,  
Haryana Real Estate Appellate Tribunal,  
Chandigarh  
28.01.2020

Inderjeet Mehta  
Member (Judicial)  
28.01.2020

Anil Kumar Gupta  
Member (Technical)  
28.01.2020