

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No. 306 of 2025

Date of Decision: August 08, 2025

Pivotal Infrastructure Pvt. Ltd., Plot No. 12, Sector-4, Faridabad,
Haryana-122001

Appellant.

Versus

Rajender Singh, Palam Vihar Colony, near Lux Academy,
Adjacent to Sector-23, Bhiwani, Haryana

Respondent

Present : Mr. Karan Kaushal, Advocate for the appellant.

CORAM:

Justice Rajan Gupta
Rakesh Manocha

Chairman
Member (Technical)
(joined through vC)

ORDER:

RAJAN GUPTA, CHAIRMAN:

Present appeal is directed against order dated 10.10.2024, passed by Adjudicating Officer of the Authority¹. Operative part thereof reads as under:

“Recovery certificate was issued to the Collector, Gurugram in this matter to recover decretal amount as arrears of land revenue. In view of order/circular issued by Chief Secretary to Government of Haryana, no. 50/15/20240-5S(1) dated 11th May, 2024, powers of the Collector have been conferred upon the

¹ Haryana Real Estate Regulatory Authority, Gurugram

Adjudicating Officer and all the recovery certificates have been received back.

As per learned counsel for DH, no amount has been recovered through Collector, Gurugram till now. He requests to resume executing proceedings.

In view of the facts as mentioned above, request is allowed and the execution proceedings are resumed.

Learned counsel for DH further requests for direction to JD to disclose its assets/properties including bank account and unsold inventories which can be attached to realize the decretal amount. Request is allowed. JD is directed to disclose its assets/properties including bank account and unsold inventories which can be attached to realize decretal amount. Information be given in the form of affidavit to be sworn by anyone from directors of JD, preferably by Managing Director. At the same time, Tehsildar (Recovery Cell) of Authority be asked to enquire about the properties of JD and to file his report till next date.

To come up on 25.02.2025 for further proceedings.”

2. Admittedly, the appeal filed by the appellant against order dated 17.05.2022 passed by the Authority, vide which the appellant was directed to pay interest at the prescribed rate of 9.40% p.a. for every month of delay from the due date of possession i.e. 22.01.2020 till the offer of possession of the subject flat after obtaining occupation certificate from the competent authority plus two months or handing over of possession, whichever is earlier, was dismissed by the Tribunal vide order dated 02.08.2023. That order has attained finality. The impugned order has been passed by the Adjudicating Officer in execution proceedings. Learned counsel for the appellant has not been able to point out any lapse on

the part of the Executing Court while dealing with execution petition.

3. We find no legal infirmity with the impugned order as the same has been passed for compliance and execution of order dated 17.05.2022 passed by the Authority. No interference is called for in the appellate jurisdiction.

4. The appeal is without any merit and is hereby dismissed.

5. The amount of pre-deposit made by the promoter along with interest accrued thereon be remitted to the Authority for disbursement to the allottee, subject to tax liability, if any.

6. Copy of this order be sent to the parties/their counsel and the Authority below.

7. File be consigned to records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)
(joined through VC)

August 08, 2025
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