

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No. 259 of 2025

Date of Decision: August 08,2025

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

Appellant.

Versus

Mitu Sharma, resident of Plot No. 39C, Sector 6, Dwarka, New
Delhi-110075

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
28.05.2024, passed by Adjudicating Officer of the Authority¹.
Operative part thereof reads as under:

*“It is admitted by learned counsel for DH that amount
remitted by the Appellate Tribunal has already been
received by his client. Fresh calculation has been
given. According to same, a sum of Rs.6,39,123/- was
still remaining against the JD as on 29.03.2024.*

¹ Haryana Real Estate Regulatory Authority, Gurugram

Learned counsel for DH requests for direction to JD to disclose its assets/properties, which can be attached to realize aforesaid amount. Request is allowed. JD be directed to disclose its assets/properties including bank account which can be attached to realize decretal amount, till next date. Information be given in the form of affidavit to be sworn by anyone from directors of JD.

To come up on 27.09.2024 for further proceedings.”

2. Admittedly, the appeal filed by the appellant against order dated 08.10.2020 passed by the Authority, vide which the appellant was directed to pay interest at the prescribed rate of 9.30% p.a. for every month of delay from the due date of possession i.e. 22.01.2020 till handing over of physical possession, was dismissed by the Tribunal vide order dated 14.08.2023. 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 08.10.2020 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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