

**BEFORE THE HARYANA REAL ESTATE APPELLATE  
TRIBUNAL**

---

**Date of Decision: 26.11.2025**

**Appeal No. 848 of 2025**

1. Mrs. Rama Budhiraja;
2. Mr. Rishabh Kumar, through SPA Holder Mr. Ravi Kumar, R/o C-9, Shakti Nagar Extension Ashok Vihar, Phase-III, Delhi India 110052.

Appellants.

Versus

M/s Emaar India Limited, Registered office at Emaar Business Park, MG Road, Sikanderpur Chowk, Sector 28, Gurugram-122002, Haryana.

Respondent

**(2) Appeal No. 849 of 2025**

1. Mrs. Rama Budhiraja;
2. Mr. Vaibhav Kumar, through SPA Holder Mr. Ravi Kumar, R/o C-9, Shakti Nagar Extension Ashok Vihar, Phase-III, Delhi India 110052.

Appellants.

Versus

M/s Emaar India Limited, Registered office at Emaar Business Park, MG Road, Sikanderpur Chowk, Sector 28, Gurugram-122002, Haryana.

Respondent

**Coram:**

**Justice Rajan Gupta**

**Chairman**

**Dr. Virender Parshad**

**Member (Judicial)**

**Dinesh Singh Chauhan**

**Member (Technical)**

Present: Mr. Viraj Gandhi, Advocate with  
Mr. Harit Narang, Advocate for the  
appellant-allottees.

**RAJAN GUPTA, CHAIRMAN (oral):**

This order shall dispose of above-mentioned appeals, as common questions of law and facts are involved therein. However, the facts have been extracted from Appeal No. 848 of 2025.

2. Present appeal is directed against order dated 20.05.2025 passed by the Authority<sup>1</sup> at Gruguram.

Operative part thereof reads as under:-

*“G. Directions of the Authority*

*25. Hence, the authority hereby passes this order and issues the following directions under Section 37 of the Act to ensure compliance of obligations cast upon the promoter as per the function entrusted to the authority under section 34(f):*

*i. The respondent/promoter is directed to execute the registered conveyance deed in favour of the complainants/allottees as occupancy certificate was granted to the respondent by the competent authority, upon payment of requisite stamp duty charges and administrative charges as per norms of the State Government in terms of section 17(1) of the Act of 2016.*

*ii. A period of 90 days is given to the respondent to comply with the directions given in this order and failing which legal consequences would follow.*

*26. This decision shall mutatis mutandis apply to cases mentioned in para 3 of this order wherein details of due date of possession, offer of possession, total sale consideration, and amount paid by the complainant is mentioned in each of the complaints.*

*27. Complaint as well as applications, if any, stand disposed off accordingly.*

*28. Files be consigned to registry.”*

3. It appears that the allottees applied for a unit in the Group Housing Colony floated by M/s Emaar India Limited in the name and style of ‘Emerald Floors, Premier-

---

<sup>1</sup> Haryana Real Estate Regulatory Authority, Gurugram

II', situated in Sector 65, Gurugram, Haryana. Admittedly, allotment letter was issued way back on 16.09.2009 and due date of possession was 16.12.2012. The project received Occupation Certificate vide order dated 11.11.2020. The allottees appear to have paid the entire consideration for the unit in question. However, they approached the Authority seeking certain other reliefs. Same were contested by the respondent-promoter on the ground that same were not maintainable in law or on facts. As per the promoter, the grouse of the allottees pertaining to rear lawn, alleging non-provisioning of servant quarter has already been considered and rejected by the Hon'ble Supreme Court vide its order dated 08.03.2022. Thus, Hon'ble Supreme Court, vide its order dated 09.03.2022, confined itself to upholding the order passed by the NCDRC<sup>2</sup>. As per the promoter, the allottees conducted extensive inspection of the project and were fully satisfied with the amenities provided therein.

4. After hearing the rival contentions and noticing that compensation had already been paid to the allottees as per order dated 09.03.2022 passed by the Hon'ble Supreme Court, the Authority confined itself on rest of the issues. It, thus, directed the respondent-promoter to execute the registered conveyance deed in favour of the allottees as the promoter had already been granted the occupation certificate, upon payment of requisite stamp duty and administrative charges as per norms of the State Government. Ninety days period was granted for this purpose. It was observed that the observations made in

---

<sup>2</sup> National Consumer Disputes Redressal Commission

order shall apply *Mutatis Mutandis* to the connected Appeal No.849 of 2025.

5. On due consideration of the matter, we do not find any ground to interfere with the well-reasoned order passed by the Authority. It is inexplicable as to why the allottees are insistent upon pursuing this luxury litigation despite the fact that all admissible reliefs have been granted by the concerned forum. In the facts and circumstances, such cases have to be dismissed with exemplary costs. However, we are refraining from doing so keeping in view of the fact that the appellants are allottees.

6. Appeal is hereby dismissed.

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

8. File be consigned to the records.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Dr. Virender Parshad  
Member (Judicial)

Dinesh Singh Chauhan  
Member (Technical)

26.11.2025  
Rajni