

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No.1577 of 2025

Date of Decision: March 13,2026

M/s Glorii Education Technology Pvt. Ltd. through its AR Mr. Harsh Goel S/o Sh. Dinesh Goel, having office at 12-A Floor, Tower-2, M3M International Financial Center, Sector-66, Gurugram-122101, Haryana, India

Appellant.

Versus

1. Haryana Real Estate Regulatory Authority, Gurugram, PWD Guest House, Old Railway Road, Civil Lines, Gurugram, Haryana-122001

2. M/s Babblers Projects Pvt. Ltd., AIPL Business Club, 5th Floor, Golf Course Extension Road, Sector 62, Gurugram-122002

3. M/s AIPL Bharat Infrastructure Pvt. Ltd., AIPL Business Club, 5th Floor, Sector 62, Gurugram-122002

Respondents

CORAM:

Justice Rajan Gupta
Dinesh Singh Chauhan

Chairman
Member (Technical)

Present: Mr. Aman Arora, Advocate with
Mr. Archit Rana, Advocate for the appellant.

Mr. Venket Rao, Advocate with
Mr. Gunjan Kumar, Advocate
Ms. Sonam Sharma, Advocate
Mr. Sandeep Verma, Advocate
Ms. Svetlana, Advocate
For respondent-caveators No. 2 and 3.

ORDER:

RAJAN GUPTA, CHAIRMAN:

1. The appellant has assailed order dated 8.12.2025 passed by the Chairman, Haryana Real

Estate Regulatory Authority, Gurugram vide which the application for registration filed by respondents No. 2 and 3 in respect of proposed project, namely, 'Riviera' at AIPL Lake City, Sector-103, Gurugram on land under license No. 62 dated 01.05.2025 valid upto 30.06.2033 has been granted. It has been brought on record by the appellant that the question of validity of partition is sub judice before the Hon'ble High Court in CWP No. 21373 of 2025—***Glorii Education Technology Pvt. Ltd. v. Commissioner, Gurugram Division, Gurugram.*** The limited issue raised by the appellant is on the ground that as the issue of partition is sub judice, respondents No. 2 and 3 do not possess clear indefeasible title on the licensed land and hence, could not be granted the project registration.

2. Appellant-Glorii Education Technology Pvt. Ltd. claims itself to be co-owner of the land comprised in Khewat No. 106, Khata No. 114, Rect. No. 40, Killa Nos. 16/1 (2-0). 16/2 (6-0) and Rect. No. 41, Killa No. 20(8-0), measuring 16 kanals and 0 Marla, situated in the revenue estate of village Daulatabad, Tehsil Kadipur, District Gurugram. The appellant, thus, holds 33/64th undivided share therein, which comes out to 8 Kanals and 5 Marlas. Another 31/64th share was owned by M/s Desert Moon Realtors Pvt. Ltd. who had transferred its share to respondent No. 2, namely, M/s Babbler Projects Pvt Ltd. Respondent No. 2 is the land

owner and license holder of parcel of the land (31/64th share i.e. 7 Kanals and 15 Marlas), on which the project is proposed to be developed by respondent No. 3- M/s AIPL Bharat Infrastructure Pvt. Ltd. Much emphasis has laid by the appellant to the aspect that the order passed by the Chairman alone does not satisfy the requirement of quorum and the order is without jurisdiction.

3. On behalf of respondents No.2 and 3, it has been argued that status-quo order dated 31.07.2025 does not put any restriction on the approval on grant of registration, more-so when High court has clarified on 14.11.2025 that status quo is with regard to land under partition only whereas the total land of project is 5.1375 acres. It is further argued that the Authority has already made the registration subject to final outcome of CWP No. 21373 of 2025. Reliance is placed upon decision of Madras High Court in W.P. No. 11808 of 2025 and W.M.P. No. 13378 of 2025 titled as **“S. Arthi Vs. Secretary to the Government, Department of Town and Country Planning & others**, decided on 03.09.2025. The courts do not have power to amend the statue. There being no bar to the grant of registration under the Act¹, the registration has been rightly granted. Respondents No. 2 and 3 have also produced on record a copy of order dated 19.02.2026

¹ The Real Estate (Regulation and Development) Act, 2016

passed by Director, Town and Country Planning, Haryana passed in compliance of order dated 12.01.2026 passed in CWP No. 37959 of 2025—***Glorri Education Technology Pvt. Ltd. v. State of Haryana and another.*** The relevant extract of the order passed by Director, Town and Country Planning, Haryana is reproduced below:

“Now, taking cognisance of the aforesaid order dated 19.12.2025 of the Hon'ble High Court and pending the Revision Petition No. ER 115 of 2025 in the Hon'ble High Court vide CWP No. 21372 of 2025 regarding partition of the alleged land, the developer, i.c. Babbar Projects Pvt. Ltd. and AIPL Bharat Infrastructure Pvt. Ltd. is hereby directed to keep the proportionate saleable carpet area frozen qua the disputed land till the partition proceeding attains finality. This embargo shall be reviewed only upon receipt of appropriate orders from the Hon'ble High Court or Competent Court of Law w.r.t finality of partition proceedings and the clear title of the disputed land in favour of the land-owning companies of license no. 62 of 2025.”

While refereeing to abovesaid order, it is stated that the proportionate sellable carpet area qua the disputed land has been frozen till partition proceedings attain finality and therefore, the registration can be acted upon regarding rest of the licensed land.

4. We have heard learned counsel for the parties and gone through the record.

5. The question of decision with regard to quorum has already been dealt with by this Bench in Appeal No. 547 of 2025—***M/s Inspire Parking Nest Pvt. Ltd. v. Haryana Real Estate Regulatory Authority and another***, wherein reference has been made to the judgment of Hon'ble Supreme Court in ***M/s Newtech Promoters and Developers Pvt. Ltd. v. State of UP, 2022(1) RCR (Civil) 367***. Paras 103 to 106 thereof read as under:

“103. Section 21 of the Act relates to the composition of the authority which consists of a Chairperson and not less than two whole time members to be appointed by the appropriate Government but conspicuously it does not mention minimum bench strength at the same time consciously prescribes minimum bench/quorum while constituting the Real Estate Appellate Tribunal as reflected under Section 43(3) of the Act.

104. The emphasis of the appellants was on Section 29 of the Act which indicates the quorum of meetings of the authority. There is a specific provision that there shall be a meeting of the authority with the minimum quorum being prescribed, such business of the meeting of the authority indeed could not be delegated to a single member of the authority in exercise of power under Section 81 of the Act.

105. *The term meeting under Section 29 of the Act does not deal with the performance of the authority in quasi-judicial matters which are referred to under Section 31 of the Act. It only refers to meetings, policy/regulatory issues that the authority is mandated to discharge under the Act. It may be noticed that Sections 32 and 33 are in the nature of policy/regulatory directions which the authority is mandated to be discharged indisputably have to be undertaken by the authority while functioning as a whole body under Section 29 of the Act.*

106. *To add it further, Section 29(3) and (4) of the Act talks about the questions before the authority which are to be disposed of within 60 days on receiving the applications. It may be noticed that there is no reference to any complaint referred to under Section 31 of the Act. To buttress it further, Section 29 and Section 81 of the Act are not in derogation to each other. To the contrary, both operate in different fields. Section 29 deals with the meetings of the authority to be held for taking policy/regulatory decisions in the interest of the stake holders and does not envisage in its fold quasi judicial functions which the Act casts upon the authority. The legislative intention as reflected from Section 29 is a recognition of the rationale that policy matters ought to be considered and decided by the entire strength of the authority so that the policy decisions reflect*

the acquired experience of the members and Chairman of the authority.”

6. It is evident that in the instant case, order has been passed by the Chairman sitting singly thus, requirement of Sections 29 and 34 of the Act are not met. The meeting has to be held as per the quorum provided in the Act.

7. The Act guards against formulation of any regulation delegating the powers envisaged by Section 85 of the Act to ensure that proper quorum is in place when administrative decisions are taken by the Authority. **(See- M/s Shwas Builders and Developers Pvt. Ltd. v. Premchand Surendran, 2024 Supreme (Ker.) 1682).**

8. In view of the above, it is evident that the order passed by the Authority is unsustainable in law and matter has to be remitted to the same Authority for decision afresh.

9. Needless to observe that this Tribunal has power under Section 44(6) of the Act to examine the legality, propriety or correctness of orders of the Authority even on its own motion. Having examined the same, we find the order unsustainable. Same is, thus, set aside. The matter is thus remitted to the Authority to take decision afresh at the earliest. As the matter pertains to erection of a new project, it shall do so expeditiously, in any case, not later than 10 days of uploading of the order.

10. As noticed above, in terms of order of High court dated 19.12.2025 in CWP 21373 of 2025, the respondents No. 2 and 3 are directed to keep proportionate saleable carpet area frozen qua the disputed land till the partition proceedings attain finality.

11. The appeal stands disposed of.

12. Before parting with the order, this Bench would not hesitate to comment that the builders, such as in the instant case-Glorri Education Technology Pvt. Ltd., give an impression as if they have done public service in the field of education. However, when an affidavit was sought from the appellant during the course of proceedings of the case, the appellant admitted in the same that it was purely real estate firm. The Authority is advised to remain cautious while dealing with such companies which tend to mislead the public in general and the local authorities in particular.

13. File be consigned to records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dinesh Singh Chauhan
Member (Technical)

March 13,2026
mk