

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No. 23 of 2025

Date of Decision: 10.03.2026

M/s Alpha Corp Development Private Limited Registered office at 602, 6th Floor, Tower J, World Trade Centre, Ring Road, Nauroji Nagar, New Delhi -110029.

Appellant

Versus

Neelkamal R/o House No. 1413, Sector 9, Urban Estate, Karnal, Haryana.

Respondent

Coram:

Justice Rajan Gupta

Chairman

Dr. Virender Parshad

Member (Judicial)

Dinesh Singh Chauhan

Member (Technical)

Present: Mr. Vikash Verma, Advcoate,
for the appellant.

None for the respondent.

RAJAN GUPTA, CHAIRMAN:

Present appeal is directed against order dated 10.09.2024 passed by the Authority¹ at Panchkula. Operative part there of reads as under:

“2. Today, proxy counsel for the complainant appeared through VC and submitted that dasti notice has been served upon the respondent and proof of service of dasti notice has been filed in the Registry on 06.09.2024. Further, affidavit sought vide last order dated 21.05.2024 has also been submitted on

¹ Haryana Real Estate Regulatory Authority, Panchkula

09.08.2024 with an advance copy supplied to the opposite party.

3. *Ld. Counsel for the respondent submitted that respondent has filed an application for dismissal of the complaint on 09.09.2024. He further submitted that an advance copy of the said application has been supplied to the complainant. On hearing the submissions made by counsel for the respondent, Authority observes that the proceedings before the Authority are summary in nature and in case respondent has any objections with respect to the maintainability of the plaint then same may be taken as preliminary objections in the reply.*

Filing of various applications only delay the adjudication of the matter and thus defeats the purpose of the RERA Act, 2016 which is to ensure speedy redressal of grievances of the parties. Also, deciding the applications shall amounts to deciding the matter/case in piece meal which Authority is not inclined to do.

4. *Hence, Authority directs the respondent to file its reply to the plaint within four weeks from today with an advance copy supplied to the complainant. Complainant is at liberty to file rejoinder, if any, with an advance copy supplied to the respondent.*

5. *Case is adjourned to 28.01.2025.”*

2. A perusal of the aforesaid order shows that the case is still at the stage of completion of pleadings. During the pendency of the complaint, various applications are being moved by the appellant, unnecessarily delaying disposal of the case. As per counsel for the appellant, the plea of the appellant, *inter alia*, before the Authority is that project is Pre-RERA in nature. This plea is, however, vehemently controverted by Mr. Mittal, counsel opposite.

3. It is evident that the complaint was instituted on 19.01.2024 and since then, it has been pending before the Authority. From the perusal of the records, it appears that even reply has not been filed by the appellant. Under these circumstances, we do not feel that there is any necessity of delving further into the issue. All the contentions raised by the appellant can be dealt with by the Authority which is seized of the matter. Even the jurisdictional issue 'whether the project being pre-rera' in nature can be raised before the Authority which is fully competent to decide the same.

4. Under these circumstances, we do not find any merit in this appeal. Same is hereby dismissed.

5. It is, however directed that the Authority shall endeavour to decide the matters expeditiously in any case not later than four months.

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

7. 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)

10.03.2026
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