

**BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL**

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**Appeal No. 744 of 2023**

**Date of Decision: 30.04.2026**

S.S.Group Pvt. Ltd., SS House, Plot No. 77, Sector 44, Gurugram, Haryana – 122003.

--Appellant

Versus

1. Shyam Bihari Bansal
2. Beena Bansal

Both residents of D-003, Park View City-1, Sohna Road, Gurugram.

---Respondents

**CORAM:**

**Justice Rajan Gupta**  
**Shri Dinesh Singh Chauhan**

**Chairman**  
**Member (Technical)**

Present: Mr. Ajiteshwar Singh, Advocate,  
for the appellant

Mr. Rishabh Jain, Advocate,  
for the respondents

**ORDER:**

**Rajan Gupta, Chairman (Oral):**

Challenge in the present appeal is to order dated 20.10.2023 passed by the Adjudicating Officer, HRERA, Gurugram.

Same reads as under :

*“Report/calculation as done by Accounts Officer has already been received. Copy given. No objections are filed by any of the parties. In view of the order passed by Punjab and Haryana High Court at Chandigarh in case titled as M/s International Land Developers Pvt. Ltd. Vs. Aditi Chauhan and others CWP No. 7738 of 2022, and M/s International Land Developers Pvt. Ltd. Vs. Nitin Mathur and others 7750 of 2022. Recovery certificate is required to be issued. Let recovery certificate be issued to the Collector, Gurugram to recover decretal amount as arrears of land revenue.*

*File be sent to Accounts Officer immediately to prepare recovery certificate. Same be got signed from the undersigned.*

*Compliance report be called from Accounts Officer for 11.01.2024.”*

2. At the outset, Mr. Singh submits that in view of the ratio of law laid down in *Vatika Limited v. Union of India - 2025(3) RCR (Civil) 109*, the order under appeal is unsustainable and is liable to be set aside. Alternatively, he prays that matter may be remanded to the Authority for decision afresh in view of the law laid down in *Vatika's case (Supra)*.

3. Mr. Rishabh Jain does not controvert the ratio of law laid down in *Vatika Limited v. Union of India*.

4. As the learned counsel are *ad idem* that matter needs to be remanded to the Authority for decision afresh as per law, keeping in view the ratio of law laid down in *Vatika's case (Supra)*, we hereby set aside the order under appeal and remit the case to the Authority for decision afresh.

5. The appeal is allowed in the aforesaid terms.

6. Parties are directed to appear before the Authority below on 11.05.2026.

7. As the matter has already been delayed sufficiently, we expect the Authority will decide the same expeditiously in any case, not later than four months from today.

8. The amount of pre-deposit along with interest accrued thereon be remitted to the Authority for disbursement to the parties as per their entitlement on culmination of the execution proceedings. Needless to observe, tax liability, if any, would apply.

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

10. File be consigned to the records.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Dinesh Singh Chauhan  
Member (Technical)

30.04.2026  
dg