

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

CM No. 450 of 2026 in/and

Appeal No.1522 of 2025

Date of Decision: July 21,2026

Yogender Miglani son of Sh. Dayanand Miglani, R/o H. No. 38/701, Palm Hills, Opposite Hyatt Regency, Sector 77, Gurugram-122018

Appellant

Versus

TDI Infrastructure Limited, Upper Ground Floor, Vandana Building, 11, Tolstoy Marg, Connaught Place, New Delhi-110001

Respondent

CORAM:

Justice Rajan Gupta

Chairman

Dinesh Singh Chauhan

Member (Technical)

Present : Mr. Himanshu Jain, Advocate for the appellant.

O R D E R:

RAJAN GUPTA, CHAIRMAN

Present appeal is directed against order dated 04.11.2024 passed by the Authority¹. Operative part thereof reads as under:

“H. DIRECTIONS OF THE AUTHORITY

17. Hence, the Authority hereby passes this order and issues following directions under Section 37 of the Act to ensure compliance of obligation cast upon the promoter as per the function entrusted to the Authority under Section 34(f) of the Act of 2016:

(i) Respondent is directed to refund the entire paid amount of Rs. 16,93,999/- with interest of Rs.27,83,203/- to the complainant. It is further

¹ Haryana Real Estate Regulatory Authority, Panchkula.

clarified that respondent will remain liable to pay interest to the complainant till the actual realization of the amount.

(ii) A period of 90 days is given to the respondent to comply with the directions given in this order as provided in Rule 16 of Haryana Real Estate (Regulation & Development) Rules, 2017 failing which, legal consequences would follow.

*18. **Disposed of.** File be consigned to the record room after uploading of the order on the website of the Authority.”*

2. The appeal is accompanied with an application seeking condonation of delay of 379 days in filing thereof.

3. The ground agitated for condonation of delay is that judgment of Hon’ble Supreme Court in **Civil Appeal No. 3988 of 2023—Rajnish Sharma v. M/s Business Park Town Planners Ltd.**, regarding award of interest was delivered only on 24.09.2025. It is thereafter that the instant appeal for grant of 18% interest has been preferred.

4. During the course of hearing, a query was put to learned counsel for the appellant whether the judgment in **Rajnish Sharma’s** case (supra) emanates from the RERA Act or Consumer Protection Act, 2019, he fairly submitted that the said judgment pertains to proceedings initiated under the Consumer Protection Act, 2019. It is settled law that under Section 18 of the RERA Act read with Rule 15 of the Haryana Real Estate (Regulation & Development) Rules, 2017, interest is provided as ‘MCLR+2%’. Besides, no plausible reason has been given in the application for condonation of delay.

5. The application and consequently the appeal are dismissed.

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

7. File be consigned to records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dinesh Singh Chauhan
Member (Technical)

July 21, 2026.
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