

**BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL**

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**Date of Decision: October 01,2026**

**(1) CM No.1373 of 2025**

**In/AndAppeal No.575 of 2025**

M/s. Sunrays Heights Pvt. Ltd. having registered office at 211, Ansal Bhawan, 16 K.G. Marg, New Delhi 110001 through its Authorised Representative Mr. Rajesh Kumar Thakur, aged about 61 years, son of Ramashish Thakur, resident of House No.54F, 2<sup>nd</sup> Floor, Sector 30/33, Indraprastha Colony, Old Faridabad, Amarnagar, Faridabad authorised vide Board Resolution

Appellant

Versus

Anuj Jain resident of House No.A-52, Block-A, Suraj Park Colony, Rohini, Sector-18, Delhi-110042

Respondent

**(2) CM No.9016 of 2025**

**In/AndAppeal No.1481 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Prateek Khanna resident of F-7B, SFS Flats, Saket New Delhi

Respondent

**(3) CM No.96 of 2026**

**In/AndAppeal No.1486 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Radhika Pant resident of FA-315, Mansarovar Garden, Second Floor, New Delhi

Respondent

**(4) CM No.9033 of 2026**

**In/AndAppeal No.1487 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Rajeev Kumar resident of 214, Housing Board, Himshikha, CRPF, Pinjore, Panchkula Haryana

Respondent

**(5) CM No.9032 of 2026**

**In/AndAppeal No.1489 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Rajiv Jain resident of AG-517, Shalimar Bagh, New Delhi 110088

Respondent

**(6) CM No.69 of 2026**

**In/AndAppeal No.1491 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Raunack Agarwal resident of House No.2073, Sector B-2, Rock View, Vasant Kunj, New Delhi 110070

Respondent

**(7) CM No.9028 of 2026**

**In/AndAppeal No.1468 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Karan Gulati care of Mukesh Gulati, House No.1146, Sector 37B,  
Chandigarh

Respondent

**(8) CM No.9023 of 2026**

**In/AndAppeal No.589 of 2025**

M/s. Sunrays Heights Pvt. Ltd. having registered office at 211,  
Ansal Bhawan, 16 K.G. Marg, New Delhi 110001 through its  
Authorised Representative Mr. Rajesh Kumar Thakur, aged about  
61 years, son of Ramashish Thakur, resident of House No.54F,  
2<sup>nd</sup> Floor, Sector 30/33, Indraprastha Colony, Old Faridabad,  
Amarnagar, Faridabad authorised vide Board Resolution

Appellant

Versus

Anand Singh Negi resident of Plot No.1, Block-E, Dharam Colony,  
Palam Vihar Extn. Gurgaon (HR) 122017

Respondent

**(9) CM No.1391 of 2025**

**In/AndAppeal No.597 of 2025**

M/s. Sunrays Heights Pvt. Ltd. having registered office at 211,  
Ansal Bhawan, 16 K.G. Marg, New Delhi 110001 through its  
Authorised Representative Mr. Rajesh Kumar Thakur, aged about  
61 years, son of Ramashish Thakur, resident of House No.54F,  
2<sup>nd</sup> Floor, Sector 30/33, Indraprastha Colony, Old Faridabad,  
Amarnagar, Faridabad authorised vide Board Resolution

Appellant

Versus

Rita resident of House No.199/26, Jawahar Nagar, Opp. Bajrang  
Bhawan, Rohtak, Haryana 124001

Respondent

**(10) CM No.1394 of 2025**

**In/AndAppeal No.599 of 2025**

M/s. Sunrays Heights Pvt. Ltd. having registered office at 211,  
Ansal Bhawan, 16 K.G. Marg, New Delhi 110001 through its  
Authorised Representative Mr. Rajesh Kumar Thakur, aged about  
61 years, son of Ramashish Thakur, resident of House No.54F,  
2<sup>nd</sup> Floor, Sector 30/33, Indraprastha Colony, Old Faridabad,

Amarnagar, Faridabad authorised vide Board Resolution

Appellant

Versus

Vijay Kumar Bansal resident of 29, First Floor, The White House,  
Sector 57, Gurugram Haryana

Respondent

**(11) CM No.9022 of 2026**

**In/AndAppeal No.1378 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Adityavir Singh resident of House No.4133, Sector 9A,  
Bahadurgarh Haryana 124507

Respondent

**(12) CM No.9172 of 2026**

**In/AndAppeal No.1379 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Alok Goyal resident of Plot No.2, BlockNo.2, GF Spring Field  
Colony, Sector-3, Faridabad, Haryana 121002

Respondent

**(13) CM No.271 of 2025**

**In/AndAppeal No.1391 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Chandani Kumari resident of House No.D-314, Gali No.9, Phase-5,

Near Shivhansa Chouk, Aya Nagar, South Delhi, Delhi 110047

Respondent

**(13) CM No.9041 of 2026**

**In/AndAppeal No.1394 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Deepak Jhakar resident of House No.286, Sector 9, Bahadurgarh, Haryana 124507

Respondent

**(14) CM No.93 of 2026**

**In/AndAppeal No.1408 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Mona Pundhir resident of C-98, 4<sup>th</sup> Floor, Rosewood City, Sector 49, Gurugram Haryana 122018

Respondent

**(15) CM No.9018 of 2026**

**In/AndAppeal No.1472 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Lalit Singh resident of House No.1018, Sector 7 Extension, Gurgaon 122001 Haryana

Respondent

**(16) CM No.258 of 2026**

**In/AndAppeal No.1536 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal

Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Priyanka Dimri resident of A-703, The Coralwood, Sector 84,  
Narsinghpur, Gurgaon Haryana 122004

Respondent

**(17) CM No.9030 of 2026**

**In/And Appeal No.1533 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Yashpal Singh Care of Anand Singh Negi, E-1, Dharam Colony,  
Palam Vihar Extension, Gurgaon 122017

Respondent

**(18) CM No.9015 of 2026**

**In/And Appeal No.1531 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Vivek Kumar resident of Flat No.73, Bank Apartment, Plot No.22,  
Sector 4, Dawarka New Delhi 110078

Respondent

**(19) CM No.9039 of 2026**

**In/And Appeal No.1546 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Ritu Dahiya resident of House No.1132P, Sector 17, Jagadhri,  
Yamuna Nagar, Haryana

Respondent

**(20) CM No.9043 of 2026**

**In/And Appeal No.1543 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Ram Narayan Chaudhary resident of House No.714, Gali No.13, Near Mandoli, Ghungi Extension, Delhi 110093

Respondent

**(21) CM No.9025 of 2026**

**In/And Appeal No.1542 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Rakesh Arora resident of 75, CSP Flats, East of Kailash, New Delhi 110061

Respondent

**(22) CM No.9031 of 2026**

**In/And Appeal No.1441 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Anushka Gupta resident of House No.154, Second Floor, Sector 56, Gurgaon, Haryana 122001

Respondent

**(23) CM No.9040 of 2026**

**In/And Appeal No.1548 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Roopak Gupta resident of House No.16A, Lane No.7, Guru  
Amardass Avenue, Airport Road, Amritsar Punjab

Respondent

**(24) CM No.142 of 2026**

**In/And Appeal No.1448 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Bhawna resident of Ward No.27, Dev Nagar, Sonipat Haryana

Respondent

**(25) CM No.378 of 2026**

**In/And Appeal No.1450 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Haripal Malik resident of House No.777, Ward No.31, Gali No.1,  
New Fort Road, Ashok Vihar Haryana

Respondent

**(26) CM No.9037 of 2026**

**In/And Appeal No.1457 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Kavita Basin resident of 5/5228, Krishan Nagar, Karol Bagh,  
Central Delhi, Delhi

Respondent

**(27) CM No.9036 of 2026**

**In/And Appeal No.1510 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Sunny Nagpal resident of House No.1A, 70-B, NIT-I, Faridabad Haryana 121001

Respondent

**(28) CM No.9029 of 2026**

**In/And Appeal No.1556 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Shefali Sharma resident of Tower-2, 1406, Valley View Estate, Gawal Pahadi, Gurgaon 122003

Respondent

**(29) CM No.318 of 2026**

**In/And Appeal No.1507 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Sudesh resident of R2915, Gali No.5/12, Main Sagarpur, New Delhi 110048

Respondent

**(30) CM No.9027 of 2026**

**In/And Appeal No.1549 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Rupali Singhal resident of Flat No.H-093, Forest County, Eon IT

Park Road, Kharadi, Pune Maharashtra India 411014

Respondent

**(31) CM No.9042 of 2026**

**In/And Appeal No.1503 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Ravinder Sharma resident of House No.211, Village Badshahpur, Block-5, Near Arya High School Gurgaon Haryana 122001

Respondent

**(32) CM No.99 of 2026**

**In/And Appeal No.1504 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Vina Mittal resident of 1294, Sector 17-C, Gurgaon Haryana 122001

Respondent

**(33) CM No.178 of 2026**

**In/And Appeal No.1506 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Subodh Kumar resident of A1/39, Phase-5, Aya Nagar, New Delhi

Respondent

**(34) CM No.9026 of 2026**

**In/And Appeal No.1518 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

..Appellant

Versus

Surinder Kumar Verma resident of Plot No.73, Second Floor,  
Sector 3, Karuna Kuni, Dwarka, New Delhi

Respondent

**(35) CM No.9024 of 2026**

**In/And Appeal No.1520 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Tanmay Kant resident of House No.8-A, Varun Society, Plot 3,  
Sector 52, Gurgaon Haryana

Respondent

**(36) CM No.199 of 2026**

**In/And Appeal No.1578 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Virendra Dhingra resident of 4/78, Shivaji Nagar, Gurgaon  
Haryana 122001

Respondent

**(37) CM No.9021 of 2026**

**In/And Appeal No.1558 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Shyam Sundar Suri resident of B-56, Varindavan, CGHS, Plot  
No.1, Sector 6, Dwarka, New Delhi 110075

Respondent

**(38) CM No.336 of 2026**

**In/And Appeal No.1467 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Jaspal Singh resident of RZ-164Q Extension, Uttam Vihar, Uttam Nagar, New Delhi

Respondent

**(39) CM No.315 of 2026**

**In/And Appeal No.1439 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Anil Kumar Trehan resident of B-2, Sector 53, Noida UP

Respondent

**(40) CM No.72 of 2026**

**In/And Appeal No.1477 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Mohit Mathur resident of A-4/40, Krishna Apra Garden-7, Indra Puram, Shipra Suncity, Gaziabad UP 201001

Respondent

**(41) CM No.154 of 2026**

**In/And Appeal No.1479 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised

representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Prakash Kumar resident of B-3, MDI Campus, Mehrauli Road, Gurgaon Haryana 122007

Respondent

**(42) CM No.321 of 2026**

**In/And Appeal No.1480 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Prakriti Ranjan Samnta resident of G-1696, Sector 5, Vaishali Gaziabad UP 201010

Respondent

**(43) CM No.172 of 2026**

**In/And Appeal No.1415 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Navin Chandra Gupta resident of HA-8, Kaveri Apartment, Iaripusacampus, New Delhi 110012

Respondent

**(44) CM No.357 of 2026**

**In/And Appeal No.1417 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Omvir Singh Yadav resident of 283, C-1, Shiv Apartment, Khanpur  
Village, New Delhi 110062

Respondent

**(45) CM No.9020 of 2026**

**In/And Appeal No.1418 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Parveen Lathwal resident of House No.850, Sector 15, Sonipat  
Haryana 131001

Respondent

**(46) CM No.87 of 2026**

**In/And Appeal No.1420 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Parvinder Singh resident of 539/23, DLF Colony, Rohtak Haryana  
124001

Respondent

**(47) CM No.9034 of 2026**

**In/And Appeal No.1437 of 2025**

M/s. Sunrays Heights Pvt. Ltd. through its authorised  
representative having registered office at 211, 2<sup>nd</sup> Floor, Ansal  
Bhawan, 16 Kasturba Gandhi Marg, New Delhi 110001

Appellant

Versus

Amit Jaglan resident of House No.99, Ishrana Pardhana (65),  
Panipat, Haryana

Respondent

**(48) CM No.9019 of 2026**

**In/And Appeal No.579 of 2025**

M/s. Sunrays Heights Pvt. Ltd. having registered office at 211,

Ansal Bhawan, 16 K.G. Marg, New Delhi 110001 through its  
Authorised Representative Mr. Rajesh Kumar Thakur, aged about  
61 years, son of Ramahish Thakur, resident of House No.54F, 2<sup>nd</sup>  
Floor, Sector 30/33, Indraprastha Colony, Old Faridabad,  
Amarnagar, Faridabad authorised vide Board Resolution

Appellant

Versus

Hanuman Prasad Resident of House No.156, Mohalla Padav,  
Mahendragarh Haryana 123029

Respondent

**(49) CM No.9038 of 2026**

**In/And Appeal No.582 of 2025**

M/s. Sunrays Heights Pvt. Ltd. having registered office at 211,  
Ansal Bhawan, 16 K.G. Marg, New Delhi 110001 through its  
Authorised Representative Mr. Rajesh Kumar Thakur, aged about  
61 years, son of Ramashish Thakur, resident of House No.54F,  
2<sup>nd</sup> Floor, Sector 30/33, Indraprastha Colony, Old Faridabad,  
Amarnagar, Faridabad authorised vide Board Resolution

Appellant

Versus

Deepak Sharma Resident of House No.5/105, Shivaji Nagar,  
Gurugram Haryana 122001

Respondent

**CORAM:**

**Justice Rajan Gupta**

**Chairman**

**Dinesh Singh Chauhan**

**Member (Technical)**

Present: Mr. Tushar Bahmani, Advocate for the appellant.

**O R D E R:**

**RAJAN GUPTA, CHAIRMAN**

This order shall dispose of above-mentioned appeals,  
as common questions of law and facts are involved. However, the  
facts have been extracted from Appeal No. 575 of 2025.

2. In the present appeal, challenge has been made to order dated 23.04.2025, passed by the Authority<sup>1</sup>. Operative part thereof reads as under:

***“H. Directions of the authority***

*35. 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 is directed to pay delay possession charges to the complainant against the paid-up amount at the prescribed rate of interest i.e. 11.10% p.a. for every month of delay from the due date of possession 16.03.2021 till actual handing over of possession or valid offer of possession plus two months after obtaining occupation certificate from the competent Authority, whichever is earlier as per proviso to Section 18(1) of the Act read with Rule 15 of the Rules, *ibid.**

*II. The arrears of such interest accrued from due date of possession of each case till the date of this order by the authority shall be paid by the promoter to the allottees within a period of 90 days from date of this order as per Rule 16(2) of the Rules, *ibid.**

*III. The respondent is directed to issue a revised statement of account after adjustment of delayed possession charges, and other reliefs as per above within a period of 30 days from the date of this order. The complainants are directed to pay outstanding dues if any remains, after adjustment of delay possession charges within a period of next 30 days.*

*IV. The respondent is directed to offer the possession of the allotted unit within a period of 30 days from the date of this order, since occupation certificate has already been obtained*

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

*by the respondent promoter on 31.12.2024.*

*V. The rate of interest chargeable from the allottee by the promoter, in case of default shall be charged at the prescribed rate i.e. 11.10% by the respondent/promoter which is the same rate of interest which the promoter shall be liable to pay the allottee, in case of default, i.e., the delayed possession charges as per section 2(za) of the Act.*

*VI. The complainant shall deposit the last demand raised by the respondent, if any outstanding remains after adjustment of the delayed possession charges as and when the escrow account of the respondent is de-frozen by the Authority.*

*VII. The respondent shall not charge anything from the complainant which is not part of the buyer's agreement and under the Affordable Housing Policy, 2013.*

*36. This decision shall mutatis mutandis apply to cases mentioned in para 3 of this order.*

*37. The complaints stand disposed of. True certified copy of this order shall be placed in the case file of each matter.*

*38. Files be consigned to the registry.”*

3. The appeal is accompanied with applications seeking waiver of pre-deposit as per Section 43(5) of the Act<sup>2</sup> and condonation of delay of 64 days in filing thereof.

4. Counsel for the appellant-promoter primarily contended that the promoter is facing financial crunch. Due to defaults of the allottee in making outstanding dues, the promoter had already taken loan from SWAMIH Investment Fund so that the project can be completed in time. In view of this, it is unable to make the pre-deposit.

5. As per report from the Registry, the appellant-promoter is required to deposit Rs.11,09,856/-.

6. We have heard learned counsel for the appellant.

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<sup>2</sup> The Real Estate (Regulation and Development) Act, 2016

7. The appellant is posing a challenge to the order, whereby it has been directed to pay delay possession charges to the allottee against the paid-up amount at the prescribed rate of interest i.e. 11.10% p.a. for every month of delay from the due date of possession 16.03.2021 till actual handing over of possession or valid offer of possession plus two months after obtaining occupation certificate from the competent authority. Same has been impugned after a delay of 64 days. The order of the Authority remained in operation during that period. Pre-deposit has been calculated by the Registry accordingly. It needs to be kept in mind that the party, who is aggrieved by the order, may file appeal against such order. In case, the appeal is filed by the promoter, it has to make pre-deposit. In the instant case, the promoter has preferred the appeal. Thus, the mandatory provision of pre-deposit has to be complied with.

8. In view of law laid down in **M/s Newtech Promoters and Developers Pvt. Ltd. v. State of UP, 2022(1) RCR (Civil) 367**, it is not possible to entertain an appeal which is not accompanied by the requisite pre-deposit. There is no provision for waiver or exemption of pre-deposit. Relevant paragraphs of the judgment are reproduced hereunder for ready reference:

*“122. It may straightaway be noticed that Section 43(5) of the Act envisages the filing of an appeal before the appellate tribunal against the order of an authority or the adjudicating officer by any person aggrieved and where the promoter intends to appeal against an order of authority or adjudicating officer against imposition of penalty, the promoter has to deposit at least 30 per cent of the penalty amount or such higher amount as may be directed by the appellate tribunal. Where the appeal is against any other order which involves the return of the amount to the allottee, the promoter is under obligation to deposit with the appellate tribunal the total amount*

*to be paid to the allottee, which includes interest and compensation imposed on him, if any, or with both, as the case may be, before the appeal is to be instituted.”*

*123. The plea advanced by the learned counsel for the appellants is that substantive right of appeal against an order of authority/adjudicating officer cannot remain dependent on fulfilment of pre-deposit which is otherwise onerous on the builders alone and only the builders/promoters who are in appeal are required to make the pre-deposit to get the appeal entertained by the Appellate Tribunal is discriminatory amongst the stakeholders as defined under the provisions of the Act.*

*xxxx xxxx*

*125. The submission in the first blush appears to be attractive but is not sustainable in law for the reason that a perusal of scheme of the Act makes it clear that the limited rights and duties are provided on the shoulders of the allottees under Section 19 of the Act at a given time, several onerous duties and obligations have been imposed on the promoters i.e. registration, duties of promoters, obligations of promoters, adherence to sanctioned plans, insurance of real estate, payment of penalty, interest and compensation, etc. under Chapters III and VIII of the Act 2016. This classification between consumers and promoters is based upon the intelligible differentia between the rights, duties and obligations cast upon the allottees/home buyers and the promoters and is in furtherance of the object and purpose of the Act to protect the interest of the consumers vis-a-viz., the promoters in the real estate sector. The promoters and allottees are distinctly identifiable, separate class of persons having been differently and separately dealt with under the various provisions of the Act.”*

9. In view of the above, it is evident that there is no scope for hearing the appeal on merits, as the same is not

maintainable due to lack of pre-deposit. The same is hereby dismissed with no order as to costs.

10. Consequently, the accompanying applications are also dismissed.

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

12. Files be consigned to records.

Justice Rajan Gupta,  
Chairman,  
Haryana Real Estate Appellate Tribunal

Dinesh Singh Chauhan  
Member (Technical)

October 01,2026  
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