PROCEEDINGS OF THE DAY	1
Day and Date	Monday and 05.10.2026
Complaint No.	E/3224/2025 Case titled as Abhishek Pratap Singh VS Sunrays Heights Private Limited
Complainant	Abhishek Pratap Singh
Represented through	Mr. Vijay Pratap Singh, Advocate
Respondent	Sunrays Heights Private Limited
Represented through	Mr. Himanshu Singh, Advocate
Proceeding Recorded by	Ashok Kumar

Proceedings

The present case Hon'ble High court in CWP no. **15355 of 2026** was disposed of vide order dated 18.05.2026 with a direction to dispose of the said execution petition. The relevant portion of the said order is reproduced for ready reference: -

> *"In view of the judgment passed by the Supreme Court of India in Rahul S. Shah Vs. Jinendra Kumar Gandhi and others 2021 INSC 270, present writ petition is disposed of with a direction to the Executing Court to decide the execution petition as expeditiously as possible,* ***preferably within a period of six months from the date of receipt of certified copy of this order."***

It is noted that Recovery Certificate no. 180 (NEW) was sent to District Collector, Gurugram on 17.09.2026 and a copy thereof has been sent to both parties through email. However, the counsel for DH submits that DH has not received the copy of RC. The DH may collect the same from the office today.

The counsel for JD has filed power of attorney on behalf of JD and further submits that objections of the JD have not been considered by the CA of the Authority and RC for Rs.6,55,130/- has been issued, whereas JD has to recover Rs.7,02,630/- from DH.

The counsel for JD further states that the **appeal bearing no.723 of 2025** filed by JD with pre-deposit has already been dismissed by Hon'ble HREAT on 22.09.2026. The relevant portion of the said order is reproduced for ready reference: -

> *"09. In view of above, it is evident that there is no scope for hearing the appeal on merits, as the same is not maintainable due to deficit in pre-deposit. The application is, thus, dismissed. Consequently, the appeals are also dismissed.*
> *10. The amount of pre-deposit made by the appellant-promoter in each appeal, along with interest accrued thereon,* ***be remitted to the Authority for disbursement to the parties****, as per their entitlement, subject to tax liability, if any."*

The JD has objected that the amount mentioned in the Recovery Certificate is less than the outstanding amount payable by the DH as per BBA. Hence, DH should be direct to pay the outstanding amount as per the BBA.

The counsel for DH further contended that the DPC amount may be adjusted against the outstanding dues payable by DH to JD and requests for appointment of bailiff of the Authority to facilitate handing over possession of the originally allotted unit to DH. However, the counsel for JD seeks one month's time for possession.

Heard.

JD is directed to hand over possession to DH within a period of one month subject to clearance of outstanding dues payable by DH after adjusting the DPC, failing to which bailiff of the Authority shall be appointed on the next date.

Matter to come up on **11.11.2026** for filing status of handing over possession of unit to DH.

P.S. Saini
Member
05.10.2026