PROCEEDINGS OF THE DAY	3
Day and Date	Wednesday and 02.09.2026
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. Kanish Bangia, Advocate
Proceeding Recorded by	Ashok Kumar and Manju Bala

Proceedings

The counsel for DH states that it is High Court Matter (CWP No. 15355 of 2026) and is to be decided within a period of six months as per the directions of Hon'ble Supreme Court in Rahul S. Shah vs Jitendra Kumar Gandhi and others 2021 INSC 270.

The counsel for JD states that during the proceeding dated 17.08.2026, copies of CA report were supplied to both parties. Moreover, the counsel for JD submits that JD wants to file objection to the CA calculation as certain amount has not been adjusted in the calculation done by CA of the Authority

However, the counsel for DH states that the complaint was decided in the year 2025 and the unit originally allotted to the DH was cancelled by the JD, which cancellation was subsequently set aside by the Authority in the main complaint. Despite the aforesaid order, the JD has failed to restore any unit to the DH.

The counsel for DH further states that as per the last order of the Authority dated 17.08.2026, JD was supposed to file status report with regard to the originally allotted unit of the DH, including its present status, and specifically indicating the steps taken for restoration of the said unit and handing over of possession thereof to the DH.

The counsel for DH states that appeal filed by JD is not yet admitted in the Hon'ble HREAT and only Rs.2.00 lakh has been deposited as pre-deposit and today the matter is fixed for issuance of recovery certificate, and it is JD who

has been adopting delayed tactics in the matter for long and requests to issue recovery certificate of decretal amount to District Collector, Gurugram. However, the counsel for JD again stated that recovery certificate may not be issued to District Collector as appeal is pending and JD be allowed to file objections to CA calculation. The Authority observes that the said appeal is still not admitted in the Hon'ble HREAT, moreover the CA report was handed over to both the parties on last date of hearing despite the fact the JD did not file the objections till date. Accordingly, in view of the directions passed by the Hon'ble High Court for disposing the matter within 6 months there is no reasonability to delay the said matter and therefore, the request of JD is declined by the Authority.

The office to issue the recovery certificate on the basis of the report prepared by CA of the Authority to District Collector, Gurugram within a period of 15 days for recovery of decretal amount in terms of section 40 (1) of the Act of 2016. Section 40(1) of the Act, 2016 is reproduced below for ready reference: -

> *"40(1). If the promoter or allottee or real estate agent as the case may be, fails to pay any interest or penalty or compensation as imposed on him, by the Adjudicating Officer or the Regulatory Authority, or the Appellate Authority, as the case may be, under this Act or the Act or the rules and regulation made thereunder, it shall be recoverable from such promoter or allottee or real estate agent, in such manner as may be prescribed* ***as an arrears of land revenue.****"*

Copy of RC through email be sent to both parties.

Further JD is again directed to file status report in the shape of affidavit with regard to the originally allotted unit of the DH, including its present status, and specifically indicating the steps taken for restoration of the said unit and handing over of possession thereof to the DH.

Matter to come up on **21.09.2026** for further proceedings.

P.S. Saini
Member
02.09.2026