BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No. 66 of 2026
Date of Decision: 27.10.2026

Haryana Shehri Vikas Pradhikran through its Estate Officer, HSVP Complex Sector 15, Sonepat-131001 (Haryana).

Appellant

Versus

Yogesh Kumar Kaushik, House No. 1551/30, Vijay Nagar, Sohana Road, Sonipat-131001.

Respondent

Coram:

Justice Rajan Gupta **Chairman**

Dr. VirenderParshad **Member (Judicial)**

Present: Mr. Arvind Seth, Advocate,
for the appellant.

Mr. Deepak Jaglan, Advocate,
for the respondent.

ORDER

RAJAN GUPTA, CHAIRMAN (ORAL):

CM No.740 of 2026

This is an application seeking condonation of 10 days delay in filing of the appeal. Same is supported by an affidavit of Mr. Sidharth Singh, Estate Officer-I, HSVP.

Learned counsel for the respondent has not opposed the prayer for condonation of delay.

On perusal of the application, this Bench is satisfied that sufficient grounds are made out for condoning the delay. Accordingly, application is allowed. Delay of 10 days in filing the appeal is hereby condoned.

Main Appeal:

The present appeal is directed against order dated 21.11.2025 passed by the Authority[1] at Panchkula. Operative part thereof reads as under:-

> *"4. The complainants have submitted that since the properties in question are released by the order of Court of Additional District Judge, Sonepat, a direction be given to the respondent to hand over the possession of the units to the complainants.*
>
> *5. On the other hand, learned counsel for the respondent has requested a date for confirmation of the fact stated by the complainants as he has no instructions from the respondent company in this regard.*
>
> *6. Request is accepted. The respondent is directed to confirm the factum of release of property from the above said Court. If property is released, the respondent shall hand over possession of the units to the complainants on or before the next date of hearing.*
>
> *7. Cases are adjourned to 30.01.2026."*

2. Mr. Seth has argued that once the possession is handed over to the allottee, there is hardly any possibility of taking it back. By virtue of interim relief granted by the Authority, the complainant would in fact get the main relief sought in the complaint. As per him, the order is cryptic and suffers from legal infirmity.

3. Learned counsel for the respondent has controverted the aforesaid contentions.

4. We have heard learned counsel for the parties and given careful thought to the facts of the case.

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[1] Haryana Real Estate Regulatory Authority Panchkula

5. We are of the considered view that the matter ought to have been heard by the Authority after considering the stand of both the parties and examining the record. The impugned order insofar as it is not informed by cogent reasons is unsustainable, besides, cryptic in nature. Same is hereby set aside.

6. Appeal is, thus, allowed with a direction to the Authority to ensure that the matter be decided in a time bound manner in any case, not later than four months.

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

8. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dr.Virender Parshad
Member (Judicial)

27.10.2026
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