

Kuldeep Verma
Vs.
M/s Mapsko Builders Pvt. Ltd.
Appeal No.92 of 2020

Present: Sh. P.K. Chugh, Advocate, Ld. counsel for the appellant.
Sh. Akshat Mittal, Advocate, Ld. counsel for the respondent.

(The Court proceedings conducted through VC mode)

Appellant has moved an application for staying the execution proceedings of the order dated 31.01.2022 passed by the Ld. Haryana Real Estate Regulatory Authority, Panchkula (hereinafter referred to as the Ld. Authority).

The present appeal has been filed against the interim order dated 16.01.2020 passed by the Ld. Authority.

During the pendency of this appeal, it was brought to our notice by Ld. counsel for the respondent that Civil Writ Petition Nos.1501 of 2020 and 1522 of 2020, wherein the respondent-promoter has challenged the order pronounced by the Permanent Lok Adalat, Sonapat, were filed before the Hon'ble High Court and those writ petitions were listed before the Hon'ble High Court for 15.03.2021. In view of those circumstances, we had adjourned the appeal beyond the date fixed before the Hon'ble High Court and had also directed the Ld. Authority to adjourn the complaint beyond the date fixed by this Tribunal. This direction was also repeated in the order dated 22.03.2021 passed by this Tribunal. It seems that thereafter this direction was not repeated, however, the said direction was never vacated by this Tribunal even till date.

However, during the pendency of this appeal, the Ld. Authority vide order dated 07.12.2021 has decided the main complaint filed by the respondent in the absence of Ld. counsel for the appellant. Thus, with the decision of the complaint filed by the

respondent before the Ld. Authority, the present appeal has become infructuous and the same is disposed of as such.

The appellant shall be at liberty to file fresh appeal challenging the main order dated 07.12.2021 passed by the Ld. Authority in accordance with law.

Miscellaneous application filed by the appellant also stands disposed of accordingly.

Copy of this order be conveyed to the parties/Ld. counsel for the parties and the Ld. Authority.

File be consigned to the record room.

Justice Darshan Singh (Retd.)
Chairman,
Haryana Real Estate Appellate Tribunal,
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

23.02.2022

Gaurav