



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY

Day and Date	Friday and 25.03.2022
Complaint No.	E/659/2020/225/2018/2019 Greenopolis Welfare Association Vs Orris Infrastructure Pvt Ltd. And Another
Complainant	Greenopolis Welfare Association
Represented through	Mr Venket Rao, Adv
Respondent	Orris Infrastructure Pvt Ltd. And Another
Respondent Represented through	Mr SS Mishra & Abhinav Bansal, Adv
Last date of hearing	
Proceeding Recorded by	S.L. Chanana

Proceedings

This is a petition seeking execution of order dated 12.09.2019 passed by the Haryana Real Estate Regulatory Authority(in brief Authority). During the course of proceedings, vide order dated 03.10.2019, a property i.e. Hotel Plot bearing No.A-31a, District Centre, Nehru Place, New Delhi was ordered to be attached by the Authority, to realise the decretal amount.

This is an application filed by M/s Lavender Infra Projects Pvt Ltd., with request to recall that order and to release aforesaid plot from attachment.

A.O.



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It is submitted by learned counsel for applicant that said plot is owned by his client i.e. M/s Lavender Infra Projects Pvt Ltd. and the latter got its title through conveyance deed dated 19.09.2011. Original conveyance deed is shown by learned counsel, a copy of same has been filed alongwith the application. As per learned counsel, when said plot is owned by his client, same could not have been attached in this case, his client is not a judgment-debtor.

Learned counsel representing DH objected the application. It is submitted by him that said property was attached on the asking of JD-2 i.e. M/s 3C Shelters Private Ltd. An affidavit was also filed by the latter, verifying that same was being dedicated voluntarily by JD-2. It was mentioned that JD was in the process of buying said plot on the basis of an agreement. ^{All} Asa this is reflected in order dated 23.01.2019, passed by the Authority.

None of parties could show that said plot was actually owned by M/s 3 C Shelters Pvt Ltd. On the other hand, as mentioned above, conveyance deed is in favour of M/s Lavender Infra Projects Pvt Ltd.(applicant). When, there is no evidence to show that said property was actually owned by JD-2, there was no reason to attach said property to realise decretal amount. Applicant appears to have good title over said plot. Application is thus allowed and order dated 03.10.2019 of the authority attaching said plot is hereby recalled.

It is contended by learned counsel for JD-2 (M/s Orris Infrastructure Pvt Ltd.) that an application filed by his client is still pending for disposal. He requests ^{for} short adjournment for arguments on it. Not opposed by learned counsel for DH. Request is thus allowed.

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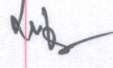
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To come on 06.04.2022 at 2.00p.m.(as requested) for arguments on said application and further proceedings.


(Rajender Kumar)
Adjudicating Officer
25.03.2022