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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 3669/2020**

YOGENDRA KUMAR GUPTA

..... Petitioner

Through: Mr.Nitin K Gupta, Adv.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr.Ripudaman Bhardwaj, CGSC with
Mr.Jatin Kumar, Adv. for R-1.
Mr.Yeeshu Jain & Ms.Jyoti Tyagi,
Advs. For R-2.
Mr.Vijay Nair, Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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23.06.2020

This hearing has been held through video conferencing.

CM APPL. 13126/2020 (Exemption)

Exemption is allowed, subject to the condition that petitioner will file the duly sworn/attested affidavit and the certified copies of the annexures within 72 hours from the date of resumption of the regular functioning of this Court.

Application is disposed of.

CM APPL. Nos. 13124/2020 & 13125/2020 (Exemptions)

Allowed, subject to all just exceptions.

W.P.(C) 3669/2020

The learned counsel for the petitioner submits that the Execution

Application bearing No. 3/2017 titled *Yogender Kumar Gupta vs. M/s Parsvnath Landmark Developers (P) Ltd.* pending adjudication before the Real Estate Regulatory Authority for NCT of Delhi (RERA) is not being proceeded further with RERA as the appeal filed by the respondent no. 3 is pending adjudication before the Real Estate Appellate Tribunal, which presently is not constituted.

I find no such order passed by the RERA giving such reason for not proceeding with the Execution Application filed by the petitioner.

In view of the above, RERA is directed to list the Execution Application of the petitioner for hearing. In such proceedings it shall always be open for the respondent no. 3 to agitate all its contention. Needless to say, if either of the party is aggrieved with the decision taken by the RERA, it shall always be open to the said party to challenge the same in accordance with law.

As far as the prayer 'b' in the petition is concerned, the learned counsel for Government of NCT of Delhi, through Land and Building Department, submits that the process of making appointment to the Real Estate Appellate Tribunal, New Delhi is already under way.

The petition is disposed of with the above direction.

NAVIN CHAWLA, J

JUNE 23, 2020/rv