

**RERA-APPL-2-2021(O&M) and
other connected cases**

-1-

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

116

RERA-APPL-2-2021(O&M)

Date of Order: 19.04.2022

M/S BPTP LTD.

..Appellant

Versus

SATBIR SINGH AND ORS.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Hemant Saini, Advocate
Mr. Anil Kumar Rana, Advocate
Mr. Sahil Sood, Advocate
Mr. Samir Malik, Advocate
Mr. Shobit Phutela, Advocate
Mr. Kamaljeet Dahiya, Advocate
Mr. Sanjeev Sharma, Advocate
Mr. Alok Mittal, Advocate
Mr. Manpreet Singh, Advocate
for Mr. Manish Gupta, Advocate
Mr. Rajeev Anand, Advocate
Mr. Surjeet Bhadu, Advocate
Mr. Veer Singh, Advocate
for the appellants.

Mr. Vineet Sehgal, Advocate
Mr. Namit Khurana, Advocate
Mr. Sandeep Khunger, Advocate
Ms. Nitika Jaura, Advocate
Mr. Kunal Dawar, Advocate
Mr. Ambanshu Sahni, Advocate
Mr. Shubhnit Hans, Advocate
Mr. Nitin Thatai, Advocate
Mr. Vikram Preet, Advocate
for the respondents.

Mr. Nilotpall Shyam, Advocate
Ms. Shivani, Advocate

ANIL KSHETARPAL, J(Oral)

Through this order, a batch of RERA Appeals (details whereof

are on the foot of the order), shall stand disposed of.

The learned counsel representing the appellant fairly admits that the point in issue in the present appeal is squarely covered against the appellant in the judgment passed by the Hon'ble Supreme Court in *M/s Newtech Promoters and Developers Pvt. Ltd. vs. State of UP and Ors. Etc. 2021 SCC (online) SC 1044.*

In some of the appeals, the Haryana Real Estate Appellate Tribunal, Chandigarh, has rejected the application for exempting the appellant from pre-deposit of the amount awarded by the Haryana Real Estate Regulatory Authority against which various appeals have been preferred, whereas, other appeals have been preferred against the appeals dismissed by the Tribunal, on account of non-deposit of the amount as provided under Section 43(5) of the *Real Estate (Regulation and Development) Act, 2016.*

The learned counsel representing the appellant submits that they may be permitted to deposit the amount and thereafter, proceed with the pending or the disposed of appeals.

Keeping in view the aforesaid facts and in view of the fair statement made by the learned counsel representing the appellant, the appeals are dismissed in terms of the aforesaid judgment.

These appeals shall stand disposed of by granting 6 weeks' time to the appellants to deposit the amount as ordered by the Haryana Real Estate Appellate Tribunal.

If the amount is deposited within the aforesaid period, the appeal which are pending or disposed of on account of not depositing the pre-deposit amount, shall stand revived and the Haryana Real Estate

**RERA-APPL-2-2021(O&M) and
other connected cases**

-3-

Appellate Tribunal, Chandigarh, shall restore and proceed to hear the appeal,
on merits, in accordance with law.

The parties through their counsel are directed to appear before
the Tribunal on 09.05.2022.

All the pending miscellaneous applications, if any, are also
disposed of.

April 19th, 2022

**(ANIL KSHETARPAL)
JUDGE**

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Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*

Sr. No.	Case No.	Appellant	Respondent
1.	RERA-APPL-2-2021	M/S BPTP LTD.	SATBIR SINGH AND ORS
2.	RERA-APPL-3-2021	M/S BPTP LTD	SANJAY GOEL AND ORS
3.	RERA-APPL-4-2021	M/S BPTP LTD	VIRENDER SINGH AND OTHERS
4.	RERA-APPL-5-2021	M/S BPTP LTD	RAJESH KAPOOR AND OTHERS
5.	RERA-APPL-6-2021	M/S BPTP LTD.	HARBIR SINGH BRAR AND ORS
6.	RERA-APPL-7-2021	M/S BPTP LTD AND OTHERS	NIRANJAN PRASAD AGARWAL AND OTHERS
7.	RERA-APPL-8-2021	M/S BPTP LTD.	LAXMI DEVI AND ORS
8.	RERA-APPL-9-2021	M/S BPTP LTD. AND ANR	DHARMENDER KUMAR PHOGAT AND ORS
9.	RERA-APPL-10-2021	M/S BPTP LTD.	SANTUSHT BHATIA AND ORS
10.	RERA-APPL-11-2021	M/S BPTP LTD	PRAVEEN YADAV AND ORS
11.	RERA-APPL-12-2021	M/S BPTP LTD	NEERAJ GULATI AND ORS
12.	RERA-APPL-13-2021	M/S BPTP LTD.	AMAN SOOD AND ORS
13.	RERA-APPL-14-2021	M/S BPTP LTD.	K.C

**RERA-APPL-2-2021(O&M) and
other connected cases**

-4-

		AND ANR.	INTERNATIONAL AND OTHERS
14.	RERA-APPL-15-2021	M/S ANJALI PROMOTERS AND DEVELOPERS PVT. LTD.	VIBHA CHADHA AND ORS
15.	RERA-APPL-16-2021	M/S BPTP LTD.	ANIRUDH BADIA AND ORS
16.	RERA-APPL-17-2021	M/S BPTP LTD.	KAPIL KUMAR AND ORS
17.	RERA-APPL-18-2021	M/S BPTP LTD.	AMIT ARORA AND OTHERS
18.	RERA-APPL-19-2021	M/S ANJALI PROMOTERS AND DEVELOPERS PVT. LTD.	SHRUTI CHOPRA AND ORS
19.	RERA-APPL-20-2021	M/S BPTP LTD AND ANR	PREM SHARMA AND ORS
20.	RERA-APPL-21-2021	M/S BPTP LTD AND ANOTHER	VINAYAK NANDAN BHARMA AND ORS
21.	RERA-APPL-22-2021	M/S BPTP LTD AND ANOTHER	ASHOK KUMAR MEHTA AND OTHERS
22.	RERA-APPL-23-2021	M/S BPTP LTD AND ANR	RADHIKA TULSIAN AND ORS
23.	RERA-APPL-24-2021	M/S BPTP LTD	NAVNEET KUMAR AND ORS
24.	RERA-APPL-25-2021	M/S ANJALI PROMOTERS AND DEVELOPERS PVT. LTD.	RANDHIR CHADHA AND ORS
25.	RERA-APPL-26-2021	M/S BPTP LTD AND ANR	RANJANA TULSIAN AND ORS
26.	RERA-APPL-27-2021	M/S BPTP LTD AND ORS	NARESH DAYAL AND ORS
27.	RERA-APPL-28-2021	M/S BPTP LTD.	DINESH GUPTA AND ORS
28.	RERA-APPL-29-2021	M/S BPTP LTD	SUSHIL KUMAR NANDA AND ORS
29.	RERA-APPL-31-2021	M/S BPTP LTD.	HARYANA REAL ESTATE APPELLATE TRIBUNAL AND ORS
30.	RERA-APPL-115-2021	M/S BPTP LIMITED AND ANOTHER	NAVNEET BASANT KUMAR KAMPANI AND OTHERS
31.	RERA-APPL-116-2021	M/S BPTP LIMITED AND ANOTHER	CHHAYA KEERTI RATNA AND OTHERS
32.	RERA-APPL-117-2021	M/S BPTP LIMITED AND	HIMANSHU DADLANI AND

**RERA-APPL-2-2021(O&M) and
other connected cases**

-5-

		ANOTHER	OTHERS
33.	RERA-APPL-118-2021	M/S BPTP LIMITED	MANISH SHEOKAND AND OTHERS
34.	RERA-APPL-119-2021	M/S BPTP LIMITED AND ANOTHER	RAM KUMAR AGARWAL AND OTHERS
35.	RERA-APPL-120-2021	M/S BPTP LIMITED	RAJNI BAJPAI @ RAJNI KHANNA AND OTHERS
36.	RERA-APPL-121-2021	M/S BPTP LIMITED AND ANOTHER	MADAN MOHAN GAHURI AND OTHERS
37.	RERA-APPL-122-2021	M/S BPTP LIMITED AND ANOTHER	NARINDER SINGH MALHAN AND OTHERS
38.	RERA-APPL-123-2021	M/S BPTP LIMITED AND ANOTHER	EDUCATION MEDIA CENTRE AND OTHERS
39.	RERA-APPL-124-2021	M/S BPTP LIMITED AND OTHER	VIRINDER KUMAR RATTI AND OTHERS
40.	RERA-APPL-94-2021	M/S BPTP LTD AND ANR.	MADHU NIGAM AND ORS
41.	RERA-APPL-24-2019	M/S SELENE CONSTRUCTION LTD.	VINAY YADAV
42.	RERA-APPL-32-2019	RAMPRASTHA PROMOTERS AND DEVELOPERS PVT. LTD.	HARJIT SINGH MAKKAR AND ANOTHER
43.	RERA-APPL-33-2019	RAMPRASTHA PROMOTERS AND DEVELOPERS PVT LTD	MANOJ GAUR
44.	RERA-APPL-35-2019	RAMPRASTHA PROMOTERS AND DEVELOPERS PVT LTD	MANJU GAUR
45.	RERA-APPL-36-2019	RAMPRASTHA PROMOTERS AND DEVELOPERS PVT LTD	HARI KISHAN GOENKA AND SONS HJF
46.	RERA-APPL-37-2019	RAMPRASTHA PROMOTERS AND DEVELOPERS PVT. LTD.	POONAM CHAWLA AND ANOTHER
47.	RERA-APPL-38-2019	RAMPRASTHA	HIMANSHU

**RERA-APPL-2-2021(O&M) and
other connected cases**

-6-

		PROMOTERS AND DEVELOPERS PVT LTD	GAUTAM AND ANR
48.	RERA-APPL-39-2019	RAMPRASTHA PROMOTERS AND DEVELOPERS PVT LTD	PRIYANKA AGARWAL AND ANOTHER
49.	RERA-APPL-43-2019	M/S. AVALON PROJECTS AND ORS. V/	PARDEEP SHARMA AND ORS.
50.	RERA-APPL-44-2019	M/S. AVALON PROJECTS AND ORS.	NOOR HASAN AND ORS
51.	RERA-APPL-46-2019	M/S. AVALON PROJECTS AND ORS.	NEHA GAMBHIR AND ORS.
52.	RERA-APPL-48-2019	M/S. AVALON PROJECTS AND ORS.	KUSUM MISHRA AND OTHERS
53.	RERA-APPL-51-2019	M/S AVALON PROJECTS AND ORS.	TACHILOTE ANAND KUMAR AND OTHERS
54.	RERA-APPL-49-2019	M/S AVALON PROJECTS AND ORS.	MUKESH KUMAR KHANDELWAL AND OTHERS
55.	RERA-APPL-50-2019	M/S AVALON PROJECTS AND ORS.	ANKIT SARIN AND OTHERS
56.	RERA-APPL-52-2019	M/S AVALON PROJECTS AND ORS.	ATTAR SINGH TANWAR AND OTHERS
57.	RERA-APPL-53-2019	M/S AVALON PROJECTS AND ORS.	ABHAY KUMAR AND OTHERS
58.	RERA-APPL-54-2019	M/S AVALON PROJECTS AND ORS.	SHASHI BALA SACHDEVA AND OTHERS
59.	RERA-APPL-58-2019	M/S AVALON PROJECTS AND OTHERS	SUNITA BHASIN AND OTHER
60.	RERA-APPL-59-2019	M/S AVALON PROJECTS AND OTHERS	YOGENDRA SINGH RATHI AND OTHERS
61.	RERA-APPL-60-2019	M/S AVALON PROJECTS AND OTHERS	AJAY KUMAR AND OTHERS
62.	RERA-APPL-61-2019	M/S AVALON PROJECTS AND OTHERS	KAKAJI BHAN AND OTHERS
63.	RERA-APPL-65-2019	M/S BPTP LIMITED	PRIYADARSHI KUMAR SINGH AND

**RERA-APPL-2-2021(O&M) and
other connected cases**

-7-

			OTHERS
64.	RERA-APPL-79-2019	M/S BPTP LIMITED	YOJNA KHATOR AND OTHERS
65.	RERA-APPL-86-2019	M/S BPTP LTD	D K VIJH AND ORS
66.	RERA-APPL-89-2019	M/S BPTP LTD.	KAMLA JAIN AND OTHERS
67.	RERA-APPL-90-2019	M/S BPTP LTD.	MEENAKASHI KWATRA AND OTHERS
68.	RERA-APPL-93-2019	M/S BPTP LTD.	PAWAN KUMAR JAGOTRA AND OTHERS
69.	RERA-APPL-94-2019	M/S BPTP LTD.	AKSHITA SHARMA AND OTHERS
70.	RERA-APPL-95-2019	M/S BPTP LTD	SACHIN WADHWA AND ORS
71.	RERA-APPL-47-2019	M/S BPTP LIMITED	ANTONY VARGESE AND OTHERS
72.	RERA-APPL-63-2019	M/S BPTP LTD.	ARUP KUMAR BANERJEE AND OTHERS
73.	RERA-APPL-64-2019	M/S BPTP LTD.	RITU SAREEN AND OTHERS
74.	RERA-APPL-34-2019	RAMPRASTHA PROMOTERS AND DEVELOPERS PVT LTD	ISHWER CHAND GARG
75.	RERA-APPL-31-2019	RAMPRASTHA PROMOTERS AND DEVELOPMENT PVT LTD	PAWAN GAHLAWAT
76.	RERA-APPL-42-2021	M/S BPTP LIMITED	ANKIT PAGORIA AND ORS
77.	RERA-APPL-43-2021	M/S BPTP LIMITED	BHARAT BHUSHAN SINGHAL AND ORS
78.	RERA-APPL-44-2021	M/S BPTP LIMITED AND ANR	SATPAL BHANOT AND ORS
79.	RERA-APPL-45-2021	M/S BPTP LIMITED	ANSHUL GOEL AND ORS
80.	RERA-APPL-46-2021	M/S BPTP LIMITED	PRASHANT CHANDERKANT SONI AND ORS
81.	RERA-APPL-47-2021	M/S BPTP LIMITED	BHUVAN VIKRAM SINGH AND ORS
82.	RERA-APPL-48-2021	M/S BPTP LIMITED AND ANR	RAJNEESH KAPOOR AND ORS
83.	RERA-APPL-49-2021	M/S BPTP LIMITED AND ANR	RAM KRIPAL YADAV AND ORS

**RERA-APPL-2-2021(O&M) and
other connected cases**

-8-

84.	RERA-APPL-50-2021	M/S BPTP LIMITED	SUNIL SHARMA AND ORS
85.	RERA-APPL-51-2021	M/S BPTP LIMITED AND ORS	GAURAV THAKKAR AND ORS
86.	RERA-APPL-52-2021	M/S BPTP LIMITED AND ORS	DEEPANSHU JAITLEY AND ORS
87.	RERA-APPL-53-2021	M/S BPTP LIMITED AND ORS	AMIT KUMAR SHRIVASTAV AND ORS
88.	RERA-APPL-54-2021	M/S BPTP LIMITED AND ORS	SUMAN LATA KHANNA AND ORS
89.	RERA-APPL-55-2021	M/S BPTP LIMITED	HIMANSHU KHATRI AND ORS
90.	RERA-APPL-56-2021	M/S BPTP LIMITED AND ANR	ASHIM KOHLI AND ORS
91.	RERA-APPL-57-2021	M/S BPTP LIMITED	NALIN MADAN AND ORS
92.	RERA-APPL-109-2021	M/S BPTP LIMITED AND ORS	HEMANT KUMAR PANDIT AND ORS
93.	RERA-APPL-110-2021	M/S BPTP LIMITED AND ORS	RAKESH KUMAR KAPOOR AND ORS
94.	RERA-APPL-111-2021	M/S BPTP LIMITED AND ORS	SUSHIL KUMAR KAUSHIK AND ORS
95.	RERA-APPL-112-2021	M/S BPTP LIMITED AND ORS	PUJA CHATLANI AND ORS
96.	RERA-APPL-113-2021	M/S BPTP LIMITED AND ORS	DINESH AND ORS
97.	RERA-APPL-114-2021	M/S BPTP LIMITED AND ORS	ANURAG SHARMA AND ORS
98.	RERA-APPL-84-2021	M/S RAHEJA DEVELOPERS LTD	VEENA BHATIA

**(ANIL KSHETARPAL)
JUDGE**