

**RERA-APPL-77-2021(O&M) and
other connected cases**

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

RERA-APPL-77-2021(O&M)

Date of Order: 20.04.2022

**RAMPRASTHA PROMOTERS AND DEVELOPERS PVT. LTD.
..Appellant**

Versus

STATE OF HARYANA AND ORS. ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mayank Dev Singh, Advocate
Ms. Renu Walia, Advocate, and,
Mr. Rohan Gupta, Advocate
for the appellant.

Mr. Harsh Vardhan, AAG, Haryana.

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

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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 Appellate Tribunal, Chandigarh, shall restore and proceed to hear the said appeals, 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 20th, 2022

(ANIL KSHETARPAL)

Ay

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*

Sr. No.	Case No.	Appellant	Respondent
1.	RERA-APPL-77-2021	RAMPRASTHA PROMOTERS AND DEVELOPERS PVT	STATE OF HARYANA AND OTHERS

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		LTD	
2.	RERA-APPL-87-2019	M/S APEX BUILDWELL PVT LTD	SHAKTI KUMAR
3.	RERA-APPL-88-2019	M/S APEX BUILDWELL PVT. LTD	SANJU KANWAR
4.	RERA-APPL-91-2019	M/S APEX BUILDWELL PVT. LTD	ADITYA ASIJA
5.	RERA-APPL-92-2019	M/S APEX BUILDWELL PVT. LTD	KRISHAN GOPAL SHARMA
6.	RERA-APPL-66-2019	APEX BUILDWELL PRIVATE LIMITED	PRADEEP AGGARWAL
7.	RERA-APPL-67-2019	APEX BUILDWELL PRIVATE LIMITED	JAI BHAGWAN
8.	RERA-APPL-68-2019	APEX BUILDWELL PRIVATE LIMITED	VINITA
9.	RERA-APPL-69-2019	APEX BUILDWELL PRIVATE LIMITED	GURSHANJIT SINGH
10.	RERA-APPL-70-2019	APEX BUILDWELL PRIVATE LIMITED	SANGEETA
11.	RERA-APPL-71-2019	M/S APEX BUILDWELL PRIVATE LIMITED	MUKESH KUMAR
12.	RERA-APPL-72-2019	M/S APEX BUILDWELL PRIVATE LIMITED	SANDEEP GOYAL
13.	RERA-APPL-73-2019	M/S APEX BUILDWELL PVT. LTD	SUDHIR KUMAR VERMA
14.	RERA-APPL-74-2019	M/S APEX BUILDWELL PVT LTD	AVINASH GUPTA
15.	RERA-APPL-75-2019	M/S APEX BUILDWELL PVT LTD	CHANDER MOHAN SHARMA
16.	RERA-APPL-76-2019	APEX BUILDWELL PVT LTD	PANKAJ SINGH SISHODIA
17.	RERA-APPL-78-2019	M/S APEX BUILDWELL PVT LTD	VINAY PANDEY
18.	RERA-APPL-80-2019	APEX BUILDWELL PVT LTD	MANISH KUMAR VERMA
19.	RERA-APPL-81-2019	M/S APEX BUILDWELL PVT. LTD	SANJEEB KUMAR MAHAPATRA
20.	RERA-APPL-82-2019	M/S APEX BUILDWELL PVT LTD	SOMNATH DEB
21.	RERA-APPL-83-2019	M/S APEX BUILDWELL PVT	SURENDER SINGH AND ANR

		LTD	
22.	RERA-APPL-84-2019	M/S APEX BUILDWELL PVT LTD	PRANEET SUSHIL SINHA
23.	RERA-APPL-85-2019	M/S APEX BUILDWELL PVT LTD	SUDHA YADAV

(ANIL KSHETARPAL)
JUDGE