

2023:PHHC:133621-DB

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

115

**CWP-23282 of 2023
Date of Decision:13.10.2023**

Atul Kumar Ninawat and another

....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G. S. SANDHAWALIA
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Ms. Shifali Goyal, Advocate, for
Mr. Pranjal P. Chaudhary, Advocate,
for the petitioners.

Mr. Arun Beniwal, DAG, Haryana

G. S. SANDHAWALIA, J. (Oral)

1. The present Civil Writ Petition has been filed under Article 226/227 of the Constitution of India for issuance of a direction in the nature of '*mandamus*' directing respondent No. 2 to take up the Complaint No. RERA-GRG-4422-2023 as well as M.A.No.386-2023, filed by the petitioners seeking *ad interim* relief, since the matter is now pending for 10.11.2023.

2. Learned counsel for the petitioners vehemently submitted that the interim relief had been prayed for in the said complaint and therefore, directions need to be issued to protect the interest of the petitioner.

3. A perusal of the paperbook would go on to show that the complaint filed under Section 31 of the Real Estate (Regulation and

Development) Act, 2016 read with Rule 28 of the Haryana Read Estate (Regulation and Development) Rules, 2017, also contains a prayer for interim orders as noticed in paragraph No. 6 of the said complaint.

4. Apparently, the said complaint was fixed for 22.12.2023 but upon an application moved for early hearing, the matter has now been preponed and has been directed to be listed for 10.11.2023.

5. Keeping in view the above, we are of the considered opinion that since the said authority has already acted upon the application for early hearing and is seized of the matter, it is directed that the said authority would also consider the matter for interim relief on the said date.

6. Consequently, the present writ petition is disposed of with the abovesaid observations.

(G. S. SANDHAWALIA)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

October 13, 2023

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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No