

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.1622 of 2024
Date of decision:30.04.2024.

Anita Sardana

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Ashish Sardana, Special Power of Attorney holder
of the petitioner.

Mr. Deepak Bhardwaj, DAG., Haryana.

Mr. Vipul Sharma, Advocate
and Mr. Kunal Dawar, Advocate
with Mr. Ranjeet Bhambu, Advocate
for respondent no.3.

VIKRAM AGGARWAL, J.

1. The petitioner who is a senior citizen is an allottee in a project by the name of Godrej Icon, Sector-88-A, Gurugram, which had been launched by respondent No.3. Aggrieved by certain alleged defaults, she preferred complaint No. 1331 in October 2018 before the Haryana Real Estate Regulatory Authority, Gurugram, (for short 'RERA'), which was disposed of on 29.01.2019. An appeal was preferred, which was ultimately remanded back for decision before the Adjudicating Officer, for refund and compensation.

2. The Adjudicating Officer, decided the matter in favour of petitioner vide order dated 12.10.2021. Against the said decision, an appeal was preferred by respondent No.3. However, in the meantime, in view of the decision of the Supreme Court of India in case of Sana Realtors Pvt. Ltd. Vs. Union of India and others, SLP (C) No. 13005 of 2020, petitioner sought revival of the Original Appeal No. 156 of 2019, which was ultimately revived.

3. The grievance of the petitioner is that the appeal has yet not been decided by the Haryana Real Estate Appellate Tribunal (respondent No.2).

4. Upon notice of motion having been issued on the last date of hearing, learned Additional Advocate General, had put in appearance in the Court. Today, learned counsel has put in appearance for respondent no.3 as well.

5. The petitioner who is being represented by her Special Power of Attorney, submits that the case is now listed before respondent No.2 on 02.07.2024 and respondent No.3 is seeking repeated adjournments. He submits that the petitioner only prays for early decision of the appeal on merits.

6. Learned counsel representing respondent No.3, at the outset submits that he has instructions to state that respondent No.3 will not seek any further adjournment before respondent No.2 and shall advance arguments on the next date of hearing i.e., 02.07.2024.

7. In the wake of the above, Sh. Aashish Sardana, Special Power of Attorney submits that the petition be disposed of in terms of statement given by learned counsel representing respondent No.3.

In view of the facts foregoing and keeping in view the statements given by the petitioner and learned counsel for respondent no.3, the writ petition is disposed of, binding the parties to the statements made by them.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

April 30th, 2024
Rekha

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No