



RERA-APPL-53-2023 (O&M) -1-

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

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**RERA-APPL-53-2023 (O&M)
Date of Decision: 05.12.2024**

Nidhi Singh

.... Appellant

Versus

IREO Victory Valley Pvt. Ltd. and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Bhupender Pratap Singh, Advocate
for the appellant.

Mr. Anand Vardhan Khanna, Advocate
for respondent No.1.

Mr. Aman Madan, Advocate (through VC)
for respondent No.2.

VIKAS BAHL, J (ORAL)

1. Challenge in the present appeal is to the order dated 06.02.2022 vide which the application filed by the present appellant directing the present respondent to fulfill the mandate of Section 43(5) of the Real Estate (Regulation and Development) Act, 2016, was dismissed.

2. Learned counsel appearing for respondent No.1 has prayed for an adjournment to argue the matter.

3. Learned counsel for the appellant has submitted that on account of repeated adjournments being sought on behalf of the respondent, loss is being caused to the present appellant inasmuch as vide order dated 03.05.2023, a Coordinate Bench of this Court in the present appeal had observed that the Appellate Tribunal should not pass the final order. It is submitted that in the

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appeal filed by respondent No.1 before the Appellate Tribunal, an interim order is operating against the present appellant and thus, the delay in the adjudication of the case is causing prejudice to the rights of the present appellant. It is further submitted that even the cross-appeal filed by the present appellant is listed along with the said appeal and both the appeals have to be decided together. It is stated that in such circumstances, the appellant restricts his prayer to dispose of the present appeal with a request to the Appellate Tribunal to decide the appeal along with the cross-appeal, as expeditiously as possible.

4. Keeping in view the above said facts and circumstances and the limited prayer made on behalf of the appellant, the present appeal is disposed of with a request to the Appellate Tribunal, to decide the appeal as well as the cross-appeal, as expeditiously as possible.

05.12.2024

D.Bansal

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No