



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22857-2024
Date of decision: 15.10.2024

Emaar India LimitedPetitioner

Versus

State of Haryana and othersRespondents

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

Present: Mr. Varun Singh Thapa, Advocate, and
Ms. Sukriti Rai, Advocate, for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana,
Mr. Karan Jindal, Assistant Advocate General, Haryana.

Mr. Ankur Mittal, Advocate,
Ms. Kushaldeep Kaur, Advocate,
Ms. Saanvi Singla, Advocate, for respondent No.2.

Mr. A.S. Talwar, Advocate, for respondent No.3.

ARUN PALLI, J. (Oral)

With reference to the order dated 10.09.2024, passed by this Court, learned Additional Advocate General, Haryana, has shared with us a copy of the order dated 04.10.2024, passed by the Chairman, Haryana Real Estate Appellate Tribunal, which is retained on record as 'Mark X':-

'At the out-set, Mr. Kunal Dawar, Advocate refers to an order passed by the Adjudicating Officer, HRERA, Gurugram on 06.08.2024, which reads as under:

"Learned counsel for JD requests for adjournment stating that his client has already filed appeal before the Appellate Tribunal. on the other hand, learned counsel for DH insists to proceed further stating that there is no stay order from the Appellate Tribunal.



Admittedly there is no stay order from the Appellate Tribunal. It is made clear to the learned counsel for JD that either same gets order of stay in the execution petition, otherwise this forum will have no option but to proceed with execution petition.

To come up on 10.10.2024 for further proceedings.”

Mr. Dawar expresses his apprehension that in view of the aforesaid order, coercive steps will be initiated against the appellant on the next date of hearing i.e. 10.10.2024. He submits that appeal be listed for final hearing, meanwhile, interim protection be granted

Faced with this situation, Mr. A.S. Talwar, Advocate submits that they would not press the execution petition pending before the Adjudicating Officer on 10.10.2024.

In the facts and circumstances of the case, it is directed that the appeals be listed for hearing on 14.10.2024 as there are holidays during interregnum.

In view of the statement made by learned counsel for the respondent, this Bench has no doubt that no coercive steps would be taken till the next date of hearing. The Adjudicating Officer to ensure.’

In the wake of the above, learned counsel for the petitioner submits that, for the present, nothing substantive survives in the petition and the same be disposed of, as having been rendered infructuous.

Ordered accordingly.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

15.10.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No