



RERA-APPL-5-2023 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(324)

RERA-APPL-5-2023 (O&M)

Date of decision:- 17.02.2025

Experion Developers Pvt. Ltd.

....Appellant

Versus

Haryana Real Estate Appellate Tribunal and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Naveen S. Bhardwaj , Advocate
for the appellant.

Mr. Sandeep Khunger, Advocate, and
Mr. Gulshan K. Moudgil, Advocate
for respondent No.2.

VIKAS BAHL, J. (ORAL)

1. Challenge in the present appeal is to the order dated 18.01.2023 passed by the Appellate Tribunal vide which interim directions have been issued, whereas, the main appeal itself is stated to be pending for final adjudication.

2. On 10.02.2023, a Co-ordinate Bench of this Court was pleased to pass the following order: -

“Contends, inter-alia, that learned Appellate Tribunal while passing the impugned interim order dated 18.01.2023 has virtually allowed the appeal, thus the same is not legally sustainable.

Notice of motion for 11.04.2023.

Notice re: interim relief as well.



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Till the next date of hearing, operation of the impugned order shall remain stayed.

10.02.2023”

3. Learned counsel for respondent No.2 had filed an application for vacation of the said interim order.

4. During the course of hearing, a consensus has been arrived at between the learned counsel for the appellant as well as learned counsel for respondent No.2, after getting instructions from their respective clients, and in view of the said consent, the present appeal is disposed of with the following directions: -

- (i) The Haryana Real Estate Appellate Tribunal is requested to decide the appeal, which is stated to be pending for 21.02.2025, as expeditiously as possible, preferably, within a period of two months from 21.02.2025. The appeal is of the year 2022 and it has been stated before this Court that both the parties had appeared before the same.
- (ii) Learned counsel for the appellant as well as learned counsel for respondent No.2 undertake to be prepared to argue the appeal on the date as directed by the Appellate Tribunal.
- (iii) The interim order dated 18.01.2023 is set aside and the Appellate Tribunal is requested to decide the case independently, after taking into consideration the arguments raised on behalf of both the parties.

5. It is made clear that setting aside of the order 18.01.2023

should not be construed as an expression on the merits of the case and it would be open to both the parties to raise all pleas as are available to them in accordance with law.

6. Pending application, if any, stands disposed of in view of the above-said order.

February 17, 2025

naresh.k

(VIKAS BAHL)

JUDGE

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