



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

203

**CWP-19666-2025 (O&M).
Date of Decision: 02.08.2025.**

Kanta Sharma and others

....Petitioners.

VERSUS

Haryana Real Estate Regulatory Authority and others Respondents.

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Ms. Anna Bansal, Advocate for the petitioners.

Mr. Ankur Mittal, Advocate and
Ms. Kushaldeep Kaur, Advocate and
Ms. Ashna Singh, Advocate for respondent-HRERA.

ANUPINDER SINGH GREWAL, J. (Oral)

The petitioners have impugned order dated 05.05.2025 (Annexure P-4), whereby the complaint preferred by the petitioners has been dismissed.

2. Learned counsel for the petitioners submits that the petitioners have filed a complaint before the Haryana Real Estate Regulatory Authority (hereinafter to be referred as 'HRERA'), which was pending adjudication. In the meantime, respondent No.2 had filed CWP No.9300 of 2023 for challenging an interim order passed by the HRERA. This Court, vide order dated 02.05.2023 had directed that operation of the impugned order shall remain stayed. The said writ petition is pending adjudication before this

Court. The HRERA was informed about the order of this Court directing interim stay of the impugned order. The HRERA after noticing the factum of interim stay by this Court had dismissed the complaint without entering into the merits of the case and further held that the complainant shall be at liberty to file a fresh complaint before the authority as and when CWP No.9300 of 2023 is decided.

3. Heard.

4. We find that the impugned order passed by the HRERA is wholly unsustainable. The proper course, which ought to have been adopted by the HRERA after it was informed about the stay of further proceedings, was that the complaint ought to have been adjourned sine die to await the outcome of the writ petition. To dismiss the complaint and direct that the complainant would file a fresh complaint after the decision of this Court, is wholly erroneous. Therefore, we have no hesitation to hold that the impugned order is unsustainable and liable to be set aside. Consequently, the petition is allowed and the impugned order is set aside. The complaint of the petitioners shall be restored to its original number and adjourned sine die by the HRERA to await the outcome of the order in CWP No.9300 of 2023.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

02.08.2025

<i>jitender</i>	Whether speaking/ reasoned	:	Yes/ No
	Whether Reportable	:	Yes/ No