

M/s Vipul Ltd.
Vs.
Pawan Jeet Singh Kohli and others
CM Nos. 422 and 423 of 2023
In Appeal No. 175 of 2023

Present: Mr. Vineet Sehgal, Advocate,
for the appellant.

Mr. Harshit Goyal, Advocate,
for the respondents.

There is an application (CM No. 422 of 2023) seeking condonation of 580 days delay in filing the appeal.

Learned counsel for the respondents, at the outset, submits that he does not intend to file any reply to the application for condonation of delay nor does he oppose the prayer for condonation of delay.

We have perused the contents of the application wherein one of the grounds taken therein is that the appellant had filed CWP no.8693 of 2022, which was dismissed as withdrawn on 16.03.2023 (Annexure A-6). The delay occurred due to the fact that the appellant had earlier invoked the jurisdiction of the Hon'ble High Court of Punjab and Haryana as per advice. He submits that further delay was caused due to the reasons beyond the control of the appellant. Application is supported by an affidavit of Mr. Rajesh Gopalakrishnan, Authorised Representative of the appellant-company.

In view of above, we hereby condone the delay of 580 days. Accordingly, CM No. 422 of 2023 is allowed.

The amount as calculated by the Registry has been deposited by the appellant. Yet, if the respondent has any objection in this regard, he shall be at liberty to raise the same at the time of final disposal of appeal.

We have put a query to counsel for the appellant whether he is ready to address arguments. He submits that as two aforesaid issues were pending consideration before this Tribunal for today, he has not prepared the case on merits. He prays for one last opportunity to address arguments on merits.

On his request, the case is adjourned to 03.05.2024.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Anil Kumar Gupta
Member (Technical)

21.02.2024
Rajni