

Advance India Projects Ltd.

Vs.

Neha Singh

Appeal No.02 of 2023

Present: Ms. Tanika Goyal, Advocate,  
for the appellant.

Mr. Prajwal Chauhan, Advocate,  
for the respondent.

Present appeal is directed against order dated 12.07.2022 passed by the Haryana Real Estate Regulatory Authority, Gurugram. Operative part thereof reads as under:-

*“56. Hence, the authority hereby passes this order and issues the following directions under section 37 of the Act to ensure compliance of obligations cast upon the promoter as per the functions entrusted to the Authority under Section 34(f) of the Act of 2016:*

*i) The respondents are directed to make payment of balance assured return as per agreed terms contained in clause 21 of agreement till offer of possession, if not already paid.*

*57. Complaint stands disposed of.*

*58. File be consigned to the registry.”*

Ms. Goyal submits that the order has been passed by the Authority below without considering the fact that respondent-allottee was never executed the Builder Buyer's Agreement (BBA). Reference in the order is only to a sample agreement. She, thus, prays that the matter may be remitted to the Authority below for decision afresh.

Learned counsel for the respondent prays for some time to seek instructions and address arguments.

List on 30.05.2024.

Justice Rajan Gupta  
Chairman

Haryana Real Estate Appellate Tribunal

30.04.2024  
Rajni