

Krishna
Vs.
M/s Vatika Ltd.
Appeal No.21 of 2022

Present: Mr. Saurav Tyagi, Advocate,
for the appellant.

Mr. Sahil Soni, Advocate,
For the respondent.

On the last date of hearing, the following order was
passed in this case:-

*On 15.09.2023, an order was passed, which reads
as under:-*

*“On the last date of hearing, the following order
was passed:*

*“Learned counsel for the respondent submits that
the appellant shall be contacted within ten days from
today by the Senior official of the promoter and an earnest
efforts shall be made to settle the matters in issue. This
Tribunal shall be informed about the further progress and
affidavit of the said official shall also be filed on or before
the next date of hearing.*

To come up on 15.09.2023.”

*According to counsel for the appellant, none from
the respondent’s side has contacted her so far to explore
the possibility of amicable settlement of the matter.*

*Faced with this situation, counsel for the
respondent-promoter submits that Senior Executive shall
visit B-36, Rohit Apartments, Plot No. 30, Dwarka, Sector-
10, District South West Delhi on 01.10.2023 between
11.00 a.m to 12.00 p.m after sending appropriate
intimation to the allootee for finally settle the issue.
Counsel for the appellant is agreeable to this. He submits
that he shall be apprised this Tribunal about the further
progress on the next date of hearing.*

Adjourned to 20.10.2023.”

*Learned counsel for the appellant, today, submits
that no efforts have been made by the respondent-
promoter to contact him so far. It has, thus, clearly violated*

the undertaking given before this Tribunal in the aforesaid order.

Today, respondent remains unrepresented even on second call.

We, thus, hereby deem it fit to issue the notice to show cause why action should be not initiated against it for violating the undertaking given before this Tribunal in the order dated 15.09.2023, under Section 63 and/or 64 of the Real Estate (Regulation and Development) Act, 2016.

Adjourned to 11.03.2024.

This Bench was constrained to pass a detailed order dated 22.12.2023.

Today, Mr. Sahil Soni, Advocate has put in appearance and submits that he has no instructions.

In view of above, this court needs to consider whether punitive action be initiated against the respondent.

In the interests of justice, one last opportunity is granted.

List on 30.05.2024.

Registrar to forward the copy of this order to the Chairman, HRERA, Gurugram forthwith.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal