

Housing Board Haryana
Vs.
Anju Bala (Appeal No.216/2022)
& connected Appeals No.217/2022 to 225/2022

Present: Mr. Vishal Garg, Advocate,
for the appellant.
Mr. Ram N. Yadav, Advocate,
For the respondent.

On 20.03.2023, this Tribunal was pleased to pass the following order.

“On the last date of hearing, the following order has been passed:

“Learned counsel for the respondent submits that he is ready with the arguments, however, ld. counsel for the appellant seeks more time to address the arguments.

In the interest of justice, last opportunity is granted. Certain queries have been put to ld. counsel for the appellant.

He submits that he shall answer the same on the next date of hearing. He assures that the concerned Executive Engineer shall be present before this Tribunal on the next date of hearing.

Adjourned to 20.03.2023.”

Pursuant to the said order, Mr. Dinesh Kumar, Executive Engineer, is present before this Tribunal. The allottees, who belong to Village Sisot, District Mahendergarh, namely, Virender S/o Kanwar Singh, Harphool S/o Parbhati, Babulal S/o Phool chand, Jagdish S/o Ram Swaroop, Anju W/o Sunil Pal, Virender S/o Parbhati, are also present.

Learned counsel for the respondent on instructions of the allottees brought to our notice that the land for construction of these houses was given by the Gram Panchayat, Sisot, District Mahendergarh, at a very nominal rate and further submits that construction of quality of the houses is very poor, there are structural defects and certain cracks have developed in the roof slabs and beams in the house in question.

We put a query to learned counsel for the appellant whether any steps have been taken pursuant to the order passed by the Authority. He on instructions of Mr. Dinesh

Kumar, Executive Engineer submits that the Housing Board Haryana is handicapped in complying with the order due to lack of funds. According to him, all the funds allotted for completion of the project have been exhausted. He, however, prays for some time to seek instructions from the competent authority i.e. the Chief Administrator regarding approval of funds etc.

On request of Learned counsel for the appellant, the case stands adjourned to 28.04.2023.”

Today, Mr. Vishal Garg, learned counsel for the appellant submits that instructions from the competent authority are still awaited as the case file has been dealt with internally and is now pending before the competent authority. He prays for another three weeks’ time to address the Court in the light of orders passed by us from time to time.

In the interests of justice, another opportunity is granted. However, it is made clear that in case the proper instructions are not supplied to learned counsel for the appellant by the next date of hearing, the matter shall be decided on merits.

Copy of this order be forwarded to the Additional Chief Secretary to Government of Haryana.

Adjourned to 02.06.2023.

Photocopy of this order be placed on other connected appeals no.217/2022 to 225/2022.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)