

JMD Ltd.
Vs.
Ashish Bhatia
CM Nos. 474, 475 & 476 of 2024
In Appeal No. 248 of 2024

Present: Mr. Yashvir Singh Balhara, along with
Mr. Gunjan Kumar, Advocate, Advocate,
for the appellant.

Mr. Balhara submits that powers vested with the Adjudicating Officer vide notification dated 11.07.2024 are under challenge before the Hon'ble High Court in CWP Nos.14838 and 14839 of 2024. Yet, the Assistant Collector at Delhi is proceeding further as per Recovery Certificate. He prays for stay of the proceedings. He further submits that the entire amount of pre-deposit in terms of proviso to Section 43(5) of the RERA Act has been made in the instant appeal.

There is delay in filing the appeal, thus, no order for stay can be passed in view of Section 44(2) of the RERA Act before condoning the delay. However, as the matter is pending in CWP Nos.14838 and 14839 of 2024, appellant is at liberty to bring this fact to the notice of the concerned Authority.

Issue notice of the application (CM No. 474 of 2024) seeking condonation of delay to the respondent for 19.07.2024.

Process be issued for this purpose.

Dasti as well.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

15.07.2024
Manoj Rana