

Silverglades Infrastructure Pvt. Ltd.

V/s

Joginder Mohan

Appeal No. 280 of 2022

Present: Mr. Ashwarya Sinha, Advocate,
for the appellant.

Mr. Kuldeep Kumar Kohli, Advocate,
for the respondent.

Learned counsel for the appellant has argued at some length. He submits that there is some dispute regarding calculation of the amount to be paid by the allottees and the due date of possession in order to calculate the liability of the promoter. This would ensure that both can be set off against each other and net amount payable can be arrived at.

These questions would of course require adjudication and kept open to both parties to address on these. However, during the course of hearing, we have put a query to the learned counsel for the appellant (Silverglades Infrastructure Pvt. Ltd.) whether they are ready to offer possession to the allottees subject to outcome of this appeal as they have paid considerable amount out of the total sale consideration. He fairly submits that the appellant is ready to offer possession provided the issues raised by it are decided while considering the issues raised in the appeal.

Learned counsel for the respondent submits that this proposal is acceptable to him. The allottee is ready to take the possession subject to final outcome of the present appeal.

Mr. Sinha, on instruction from Mr. Vishambar Shokeen, Authorised Representative of the Appellant-Company submits that the allottee shall be called by Mr. Sanjeev Mishra, DGM Sales, on or before 12.04.2023 and ensure that the allottee is given possession.

On the other hand Mr. Kuldeep Kumar Kohli appearing for the respondent-allottee undertakes that the allottee shall cooperate in every manner.

To come up on 15.05.2023.

Justice Rajan Gupta
(Chairman)
Haryana Real Estate Appellate Tribunal
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

17.03.2023
Manoj Rana