

Sanjiv **Mehrotra** Vs. BPTP Ltd.
Application No.10 of 2021
In
Appeal No.32 of 2018

Present: Shri Nitin Kant Setia, Advocate, Ld. counsel for the appellant.

Sh. Hemant Saini, Advocate, Ld. counsel for the respondent.

{The presence of Sh. Nitin Kant Setia, Advocate is being recorded through video conferencing since the proceedings are being conducted in virtual Court}

Ld. Counsel for the respondent has tendered his cheque of Rs. 3000/- for payment of the previous costs to the appellant which was imposed for non-filing the affidavit of the Director on the last date of hearing.

Ld. Counsel for the appellant has filed the objections to the performa of letter of offer of possession in the lead case titled as Madhu Sareen Vs. BPTP Ltd. bearing Appeal no. 09 of 2018 filed by the respondent/promoter before this Tribunal on the last date of hearing.

For consideration to come up on 09.04.2021.

On 12.02.2021, we have directed the respondent to file the affidavit of its Director to the effect as to whether there is any stay restraining this Tribunal to decide the present appeal. Today, the respondent has filed the affidavit of Sh. Sudanshu Tripathi, stated to be the Director of the respondent company but this affidavit is totally evasive and beating around the bush. In the entire affidavit running into five pages there is no answer to our specific query. The respondent is directed to file the specific affidavit as per our query in order dated 12.02.2021 within two weeks positively. Otherwise, this Tribunal will be constrained to draw the adverse influence against the respondent. Copy of the said affidavit be communicated to ld. Counsel for the appellant in advance.

Justice Darshan Singh (Retd.)
Chairman,
Haryana Real Estate Appellate Tribunal,
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

05.03.2021
rajni

