

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.

None 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}

We have received the written request from Sh. Hemant Saini, Advocate, ld. counsel for the respondent for adjournment of the case from six to eight weeks on the ground that he was found positive with Covid-19 in the month of march. His associate Sh. Himanshu Monga, Advocate, has also been tested positive.

It is a known fact that the virus of Covid-19 is generally cured in seventeen days. So, the request made by the ld. counsel for the respondent for adjournment for the period of six to eight weeks is not justified. Particularly, keeping in the fact that the application moved by the appellant for restoration of the appeal is pending for the last so many dates.

The respondent/promoter has also not complied with the directions of this Tribunal to file the affidavit of its director with respect to the fact as to whether there is any stay order from any higher Court in the present appeal. Respondent has already availed two opportunities for this purpose. The illness of ld. counsel for the respondent cannot prevent the respondent from filing the requisite affidavit. However, in the interest of justice, we grant last opportunity to the respondent to file the requisite affidavit within two weeks with advance copy to the ld. counsel for the appellant. No further opportunity for this purpose shall be granted and adverse influence shall be drawn against the respondent.

Now to come up on 30.04.2021 for arguments on the application for restoration of the appeal.

Copy of this order be communicated to ld. counsel for the respondent and the respondent for compliance.

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

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

09.04.2021
rajni