

India Bulls Housing Finance Ltd.

Vs.

HRERA, Gurugram

Appeal No. 350 of 2020

Present: Mr. Puneet Bali, Advocate,
for the appellant.

Ms. Saanvi Singla, Advocate,
for the respondent-Authority.

On 06.03.2024, the following order was passed in this
case:-

“Mr. Rai has addressed at some length and referred to the record.

Various orders passed by this Tribunal have been perused. An order dated 09.12.2020 was passed, which reads as under:

“The appellant has filed an application for placing on record the amended memo of parties impleading M/s Supertech Limited promoter as respondent no. 2. The application is allowed. The amended memo of parties is taken on record.

Sh. Harsh Goyal, Advocate, has filed the memo of appearance on behalf of the respondent no. 2. He undertakes to file the vakalatnama alongwith board resolution on the next date of hearing.

Ld. counsel for the appellant contended that the directions issued by the ld. Authority are causing hindrance for the functioning as the appellant is only a financial institution which does not fall in the definition of the promoter by any stretch of imagination.

We have perused the impugned order.

We find some prima-facie substance in the plea raised by the ld. counsel for the appellant.

Consequently, directions as mentioned in para no. 6(i) & 6(iii) issued by the ld. authority vide impugned order are ordered to be kept in abeyance till the decision of this appeal.

Now to come up on 21.01.2021 for arguments on the main appeal.”

It appears that in aforesaid order, it was observed that direction nos. (i) and (iii) be kept in abeyance. It is not clear as to what transpired pursuant to direction no. (ii) which was not stayed and whereby it was directed that forensic audit be conducted of the funds received in order to check any funds diversion. This question needs to be answered by the HRERA, Gurugram (Respondent no. 1 herein). It,

Appeal No. 350 of 2020

however, remains unrepresented today. None has put in appearance on behalf of respondent no. 2 either.

In the interests of justice, adjourned to 08.04.2024.

Let intimation of next date of hearing be sent to the office of Chairman, HRERA, Gurugram.

Ms. Rubina Virmani may take steps to effect service on respondent no. 2. According to her, respondent no. 2 is to be represented by IRP now.

Photocopy of this order be placed in file of Appeal nos. 351 & 352 of 2020.

Today, Ms. Singla submits that she needs some time to seek instructions in light of aforesaid order.

Mr. Puneet Bali prays for adjournment on the ground that the arguing counsel, Mr. R.S. Rai, learned Senior Advocate is not available today.

On joint request, the case is adjourned to 04.09.2024.

Photocopy of this order be placed in file of Appeals No.351 and 352 of 2020.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

17.07.2024
Manoj Rana