

Anil Kumar
Vs.
Alpha Corp Development Pvt.Ltd.

Appeal No. 388 of 2021

Present: Shri Shailendra Jain, ld. Sr. Advocate, with Shri Munish Kapila, Advocate, Ld. counsel for the appellant.

{The aforesaid presence is being recorded through video conferencing }

There is delay of 18 days in refilling of the present appeal. Ld. counsel for the appellant states that the interim orders challenged in the appeal has merged in the final order dated 30.3.2021 which were uploaded on 24.05.2021 and the appeal was filed on 23.07.2021, so, the appeal was within time.

Heard on the application for condonation of delay in refilling of the appeal.

In view of the reasons mentioned in the application, the delay of 18 days in refilling the appeal is hereby condoned.

Heard on the main appeal.

Ld. counsel for the appellant has contended that the possession was not offered to the appellant as per the terms of the Buyers Agreement. The appellant had become entitled for interest for delayed possession. Ld. Authority without taking into consideration the factum regarding delay in delivery of possession has dismissed the complaint.

Let notice of the present appeal be issued to the respondent-promoter for 05.01.2022 on filing the copies of paper book and registered cover etc. within four days.

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

Anil Kumar Gupta
Member (Technical)

03.11.2021
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