

Experion Developers Pvt. Ltd.
V/s
HARERA, Gurugram & Anr.

Appeal No. 436 of 2021

Present: Shri Shekhar Verma, Advocate, ld. counsel for the appellant.

{The aforesaid presence is being recorded through video conferencing}

Office report perused.

The appeal be registered.

There is delay of 221 days in filing the present appeal. The impugned order was passed on 19.11.2020, which falls within the period of lockdown due to COVID-19 outbreak. The case in hand is fully covered by the directions of the Hon'ble Apex Court in Suo Moto Writ Petition (C) No.3 of 2020.

In view of the aforesaid directions given by the Hon'ble Apex Court in aforesaid Suo Moto Writ Petition and the reasons mentioned in the application, the application moved by the appellant for condonation of delay is hereby allowed. The delay in filing the present appeal stands condoned however, subject to just objections by the respondents.

Heard on the main appeal.

Ld. counsel for the appellant contended that the impugned order has not been passed by the competent authority. He further contended that the project has already been completed and application for occupation certificate has already been moved which is lying pending with the competent authority. The appellant-promoter is not at fault for non-issuance of the occupation certificate.

Let notice of the present appeal be issued to the respondent for 1st December, 2021 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

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

26.10.2021
rajni