

Charu Bhasin
Vs.
BPTP Ltd.
CM No.291 of 2021
IN Appeal No.50 of 2018

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

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

Ld. counsel for the respondent states that though this appeal is not connected with the set of Madhu Sareen's cases, but the respondent company as the gesture of goodwill has no objection if the present appeal is restored and similar order which has been passed in Madhu Sareen versus BPTP Ltd. Appeal No.09 of 2018, is passed with the clarification that this order shall not be taken as a precedent in any other appeal either of the set of Madhu Sareen cases or any other appeal pending against the respondent-company before this Tribunal.

2. In view of the aforesaid concession given by Shri Hemant Saini on the asking of this Tribunal, the application moved by the appellant is allowed and the present appeal stands restored.

3. On the request made by Ld. counsel for the appellant and no opposition from the side of the Ld. counsel for the respondent and in order to take step towards amicable settlement of the issue regarding delivery of possession to the appellant-allottee, it is ordered that the appellant-allottee will deposit a sum of Rs.2,00,000/- along with maintenance charges due as per the terms of the agreement with the respondent-promoter within 15 days from today, and thereafter, the respondent-promoter shall deliver the possession of the allotted unit to the appellant-allottee within a further period three weeks. The other terms and conditions as provided in the order dated 31st August, 2021 passed in Appeal no.09 of 2018 titled as Madhu Sareen vs. BPTP Ltd shall be applicable. It is further made clear that this order shall

not be a precedent in any other appeal out of set of cases of Madhu Sareen vs. BPTP Ltd. or any other case against the respondent-company.

Now to come up on 27th July, 2022 for further proceedings along with other connected cases.

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

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

July 04, 2022
Manoj Rana