

Charu Basin V/s BPTP Ltd.

Appeal No. 50/2018

Present: Sh. Nitin Kant Setia, Advocate, ld. counsel for the appellant.

Sh. Himanshu Monga, Advocate for Sh. Hemant Saini,
Advocate, ld. counsel for the respondent.

Ld. counsel for the appellant has produced the photocopy of the order dated December 05, 2019 vide which the stay regarding disposal of this appeal has been vacated.

Ld. counsel for the respondent states that as observed by the Hon'ble High Court they have filed the Civil Misc. application in Civil Writ Petition No. 12237/2019 which has not come up for hearing so far before the Hon'ble High Court.

It has been pointed out by ld. counsel for the appellant that the cost of Rs. 10,000/- was imposed on the respondent vide order dated 15.11.2019. The said cost has not been paid whereas ld. counsel for the respondent had undertaken to pay the said cost within a week as evident from the interim order dated 21.11.2019. More than 25 days have passed but the cost has not been still paid. As per the legal preposition, the defence of the respondent must be struck due to non-payment of the costs. But in the interest of justice and for proper adjudication of the appeal, we grant three days time to pay the cost to the appellant failing which the defence of the respondent shall be deemed to have been struck off.

Now to come up on 23.12.2019 for arguments.

Justice Darshan Singh (Retd.)
Chairman,
Haryana Real Estate Appellate Tribunal,
Chandigarh
18.12.2019

Inderjeet Mehta
Member (Judicial)
18.12.2019

Anil Kumar Gupta
Member (Technical)
18.12.2019