

Dhoot Infrastructure Projects Ltd.
Vs.
Anuj Mehra and others
CM No. 1062 to 1064 & 1263, 1264 of 2024
In Appeal No.552 of 2024

Present: Ms. Tanika Goyal, Advocate,
for the appellant.

Ms. Sapna Randhawa, Advocate,
for the respondents.

There is written request for adjournment on behalf of counsel for the appellant on the ground that the arguing counsel is in personal difficulty.

In the interests of justice, the case is adjourned to 25.03.2025.

At this stage, Ms. Goyal has pointed out that despite interim order dated 19.11.2024, the Adjudicating Officer has passed an order on 06.02.2025. She has produced a copy thereof. Order is taken on record. Same reads as under:-

“Learned counsel for JD requests for adjournment stating that appeal has been filed before Appellate Tribunal and is fixed for 25.02.2025. Copy of order dated 10.01.2025 is shown in this regard.

On previous date, it was pointed out that the Tribunal through its order dated 19.11.2024 was pleased to direct that warrants of arrest issued against directors of JD be kept in abeyance till next date i.e. 10.01.2025 and through order dated 10.01.2025, same has been extended till today. Learned counsel for DH requests to appoint some officer of the Authroity and manage to hand over possession of subject unit as there is no such stay order form the Appellate Tribunal. On the contrary, there is no stay in handing over of the possession. Next date before the Appellate Tribunal is 03.02.2025. It is clarified to the JD that same either get stay from the Appellate Tribunal about handing over of possession or this forum will explore possibility of handing over of the possession through method as suggested by learned counsel for DH.

To come on 18.03.2025 for further proceedings.”

As per counsel, a perusal of the order would show that there is tendency by the executing Court to overreach. Despite being aware of the fact that this Tribunal is seized of the matter in the instant appeal and RERA-Appeal Nos. 110 to 112 of 2023 (O&M) are pending before the Hon'ble High Court, the Executing Court is passing such orders as would render all appeals infructuous.

In view of aforesaid, we direct that *status quo* be maintained till the next date of hearing.

Photocopy of this order be placed in files of Appeal nos. 553 & 556 of 2024.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)

25.02.2025
Rajni