

Alpha Corp Development Pvt. Ltd. Vs. Kapil Dev
Appeal No.845 of 2022

Present: Mr. Bahul Bunker, Advocate,
for the appellant.

Mr. Ashwani Sharma, Advocate,
for the respondent.

There is an application for condonation of delay in filing of the appeal.

As per the report from the Registry, there is 344 days delay in filing the present appeal. The application is supported by an affidavit of Santosh Singh Mehra, Authorised Representative of the Appellant Company.

Vide order dated 01st of June, 2023 an opportunity was granted to the respondent to file reply, if any, to the said application. However, no reply is forthcoming.

Learned counsel for the appellant inter alia contends that the period of Covid-19 pandemic has to be excluded in terms of judgment of Suo Motu Writ Petition (Civil) 3 of 2020. As per learned counsel for the appellant, subsequent to the pandemic situation, there was substantive change in the legal team of the appellant-company due to which some more delay was inevitable. We also notice that the appellant has made complete pre-deposit as required in terms of Section 43(5) of the Real Estate (Regulation and Development) Act, 2016.

In view of above, we feel that sufficient cause is made for condonation of delay.

Ordered accordingly. Application is, thus, allowed.

List on 20.12.2023.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Anil Kumar Gupta
Member (Technical)

20.10.2023
Manoj Rana