

PROCEEDINGS OF THE DAY		7
Day and Date	Tuesday and 14.05.2024	
Complaint No.	MA NO. 254/2024 in CR/1707/2019 Case titled as Vishakha Bist VS Oasis Landmarks Llp	
Complainant	Vishakha Bist	
Represented through	Complainant in person with Mr. Ashish Sardana AR	
Respondent	Oasis Landmarks Llp	
Respondent Represented	None	
Last date of hearing	Application u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was filed on 29.04.2019. The reply and objection, were filed by the respondent on 17.02.2023. Rejoinder to the reply and objections was filed by the complainant on 25.07.2023.

The complainant has filed an application on 26.04.2024, under section 39 of the Act for rectification of order dated 02.04.2024, stating that it does not reflect the true proceeding of the day as was duly attended by POA of the complainant Mr. Ashish Sardana. It is stated in this application that court upon request of the respondent asked AR if he would concede to mediation upon which AR declined. The AR of the complainant has further contended that during proceeding on 02.04.2024, he was not permitted to represent the complainant under section 56 of the Act and the Authority has already delve upon this issue vide order dated 14.03.2023, and 25.07.2023 whereby the AR was allowed to represent the complaint. It is further apposite to suggest that the court was aware that the complainant is a married woman and a teacher with a school going daughter and placed in remote town of Kashipur and was still directed to appear at the request of the respondent. The complainant up till 22.02.2023, was duly represent was another advocate Sh. Rohit Oberoi and there was appropriate process adopted for changing of representation.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MA/254/2024/CR/1707/2019

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

Further, even at the stage of appeal before Appellate Tribunal, the same AR had duly represented the complainant herein without any objection raised from any of the parties. Thus, it is pleaded by the AR of the complainant that order dated 02.04.2024, does not reflect the true proceeding of the day and vide this application is seeking rectification as in absence of the same he may lose the opportunity to appeal the same on merit or avail of due legal remedy.

The complainant Smt. Vishakha Bist has appeared in person today. She states that she does not wish to proceed with mediation in the matter and the case may be decided on merits. She further requests that Shri Ashish Sardana to whom she has granted special power of attorney may be allowed to appear on her behalf to plead the complaint. Request is allowed.

Matter to come up on 09.07.2024 the date already fixed in this case.

Ashok Sangwan
Member

V.1 - 3
Vijay Kumar Goyal
Member

Arun Kumar
Chairman
14.05.2024