



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

PROCEEDINGS OF THE DAY		36
Day and Date	Wednesday and 13.09.2023	
Complaint No.	CR/4426/2021 Case titled as Ish Arora Vs Brahma City Private Limited and ors.	
Complainant	Ish Arora	
Represented through	Shri Sukhbir Yadav Advocate	
Respondent	Brahma City Private Limited and ors.	
Respondent Represented through	S/Shri Venket Rao, Saurabh Sethi and Ms. Gauri P. Desai Advocates for Brahma City Private Limited Shri Shivam Rajpal proxy counsel for R2-Krrish Realtech Pvt Ltd.	
Last date of hearing	20.04.2023	
Proceeding Recorded by	Naresh Kumari	

Proceedings

The present complaint has been filed by the complainant seeking possession of the subject plot and DPC for the delay caused in handing over possession of the subject plot.

On 06.01.2023, it was stated by both the counsels that the interim report has been submitted by the Hon'ble Justice Geeta Mittal and objections, if any, thereon has been invited and after considering the same, the final report is likely to be submitted before the Hon'ble Apex Court on the next date of hearing which is 11.01.2023.

The authority observes that the dispute w.r.t to the allocation of plots inter se the respondents i.e. M/s Brahma City Pvt. Ltd. and M/s Krrish Realtech Pvt. Ltd. has been referred by the Hon'ble Apex Court to the Hon'ble High Court of Punjab and Haryana vide its order dated 11.01.2023. The Hon'ble Supreme Court vide its order dated 11.01.2023 has observed as under:



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CR/126/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

"... Therefore, without expressing any opinion on merits, we maintain the order of status quo granted by this court on 19.05.2022 and allow the High Court to dispose of the petition on its own merits and in accordance with law.

Since this court has undertaken the exercise of securing the report from the Special Referee, the reports dated 02.11.2022 and 24.11.2022 along with the objections filed to the same be sent to the High Court to be taken on record of CWP No. 2926 of 2022 so as to enable the High Court to refer to the same if it becomes necessary during the process of hearing. If any further request is to be made to the Special Referee, the High Court may consider the same. All contentions of parties are left open to be urged before the High Court.

Considering that large number of allottees/site purchasers are awaiting the development of the property to which they seek certain rights, we request the High Court to expedite the hearing of the petition and if for any reason, the petition itself cannot be taken up for disposal, if any interim orders/arrangements are to be made in this regard also, the High Court may apply its mind. All contentions in this regard are also left open.

...

The petition is disposed of in the aforesaid term..."

After hearing both the counsels, the matter is adjourned to **29.11.2023** for further proceedings.

Ashok Sangwan
Member
13.09.2023