



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		14
Day and Date	Wednesday and 08.11.2023	
Complaint No.	CR/7560/2022 Case titled as Deepak Gupta VS Jasmine Buildmart Private Limited	
Complainant	Deepak Gupta	
Represented through	Shri Sambit Nanda and Ms. Samaya Khanna Advocates	
Respondent	Jasmine Buildmart Private Limited	
Respondent Represented	Shri Shivam Rajpal proxy counsel	
Last date of hearing	16.08.2023	
Proceeding Recorded by	Naresh Kumari	

Proceedings

The present complaint was received on 12.12.2022 and the reply on behalf of the respondent was received on 09.08.2023.

The counsel for the respondent states at bar that he has not been supplied the copy of the re-joinder supplied by the counsel for the complainant. The counsel for the complainant states that soft copy of the rejoinder was duly supplied at the email address provided by the respondent at the time of the filing of the complaint. However, a hard copy of the rejoinder is being supplied to the counsel for the respondent today.

The counsel for the complainant further wishes to bring to the notice of this authority the conduct of the respondent in creating third party rights to the property in question despite filing of an application under section 36 of the Act by the complainant and notice being served upon the respondent despite which the property was sold by the respondent to a third party on 06.02.2023 pending the proceedings before this authority and therefore, the creation of third party rights was bad in law. In fact, the complainant had published the notice in the newspaper in Hindustan Times dated 31.01.2023 despite which third party rights were created on 06.02.2023. He requests that the amount



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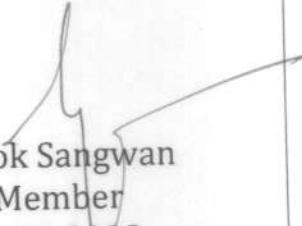
हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
CR/TS60/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

received by the respondent in lieu of creating third party rights may be deposited with the authority till the decision of the complaint.

The counsel for the respondent is directed to file the respondent to the averments made by the counsel for the complainant and show cause as to why the amount received by the respondent may not be deposited in the authority till the decision of the matter. The response be filed within a period of 2 weeks.

Matter to come up on **10.01.2024** for further proceedings.


Ashok Sangwan
Member
08.11.2023