



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 2784 OF 2023

Anil Kumar Sharma

....COMPLAINANT

VERSUS

1. BPTP Parkland Pride Ltd.
2. BPTP Ltd.
3. Kabul Chawla.
4. Sudhanshu Tripathi

....RESPONDENTS

CORAM: Dr. Geeta Rathee Singh
Chander Shekhar

Member
Member

Date of Hearing: 23.04.2024

Hearing: 2nd

Present: - Sh. Indresh, counsel for complainant through VC

Sh. Hemant Saini, counsel for respondents through VC


Geeta Rathee

ORDER:

1. Sh. Indresh, counsel for complainant referred to page no.13 of the complaint and sought interim relief against respondent not to cancel, transfer, mortgage unit in question till disposal of the case.
2. Sh. Hemant Saini, counsel for respondents apprised the Authority that in compliance of last order dated 23.01.2024 reply was filed on 19.04.2024. Further he objected to the interim relief sought by complainant and stated that complainant cannot seek such reliefs where respondent had not initiated any action against him.
3. After going through records, Authority observes that respondent was directed to file reply as per last order. In compliance, respondent filed two replies one on 29.01.2024 and second on 19.04.2024. After perusing both replies, it has come to the notice of Authority that first reply filed on 29.01.2024 was without signed affidavit. However, second reply filed by respondent on 19.04.2024 accompanies a signed affidavit. In the said affidavit, word "respondent(s)" have been used, which clearly states that Mr. Rahul Sharma is appearing for all the respondents in the captioned matter. It is pertinent to mention that respondent had not annexed copy of any board resolution authorising Mr. Rahul sharma to appear on behalf of all 4 respondents. Thus, respondent is directed to file copy of board resolution of each respondent along with copy of vakalatnama of the arguing counsel before next date of hearing.



4. After hearing both parties and going through records, Authority observes that the complainant allottee is apprehending that the respondent may cancelled his unit, and if it happens the same may cause irreparable loss to the complainant. In the interest of justice and to ensure that no loss of property is caused to the complainant during pendency of complaint Authority directs the respondent to maintain status quo with regard to the unit in question till further orders.
5. Case is adjourned to **27.08.2024** for arguments.


.....
CHANDER SHEKHAR
[MEMBER]


.....
DR. GEETA RATHEE SINGH
[MEMBER]