

CNR No: PHHC011178402026

2026:PHHC:104726-DB



CWP-22438-2026

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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

1.

CWP-22438-2026

Dilvinder Singh Bedi

... Petitioner

Versus

Haryana Real Estate Regulatory Authority, Gurugram and another

... Respondents

2.

CWP-22440-2026

Rajender Kumar

... Petitioner

Versus

Haryana Real Estate Regulatory Authority, Gurugram and another

... Respondents

3.

CWP-22460-2026

Shilpi Soni

... Petitioner

Versus

Haryana Real Estate Regulatory Authority, Gurugram and another

... Respondents

4.

CWP-22467-2026

Rupali Singhal

... Petitioner

Versus

Haryana Real Estate Regulatory Authority, Gurugram and another

... Respondents

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5. CWP-22469-2026
Uma Saini

... Petitioner

Versus

Haryana Real Estate Regulatory Authority, Gurugram and another
... Respondents

6. CWP-22482-2026
Sriranga Valli Kona

... Petitioner

Versus

Haryana Real Estate Regulatory Authority, Gurugram and another
... Respondents

7. CWP-22484-2026
Pavitra Devi

... Petitioner

Versus

Haryana Real Estate Regulatory Authority, Gurugram and another
... Respondents

8. CWP-22486-2026
Anuj Jain

... Petitioner

Versus

Haryana Real Estate Regulatory Authority, Gurugram and another
... Respondents

9. CWP-22488-2026
Anjali Singh

... Petitioner

Versus

Haryana Real Estate Regulatory Authority, Gurugram and another
... Respondents



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CWP-22490-2026

... Petitioner

Haryana Real Estate Regulatory Authority, Gurugram and another

... Respondents

CWP-22491-2026

... Petitioner

Haryana Real Estate Regulatory Authority, Gurugram and another

... Respondents

CWP-22494-2026

... Petitioner

Haryana Real Estate Regulatory Authority, Gurugram and another

... Respondents

CWP-22495-2026

... Petitioner

Haryana Real Estate Regulatory Authority, Gurugram and another

... Respondents

CWP-22664-2026

... Petitioner

Haryana Real Estate Regulatory Authority, Gurugram and another

... Respondents

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Date of decision : 03.08.2026

***CORAM: HON'BLE MR. JUSTICE VIKAS BAHL
HON'BLE MR. JUSTICE SUBHAS MEHLA***

Present: Mr.Brijesh Kumar, Advocate
for the petitioner.

Mr.Deepak Bhardwaj, Addl. A. G. Haryana.

VIKAS BAHL, J.(ORAL)

1. This order would dispose of 14 civil writ petitions i.e., CWP-22438-2026, CWP-22440-2026, CWP-22460-2026, CWP-22467-2026, CWP-22469-2026, CWP-22482-2026, CWP-22484-2026, CWP-22486-2026, CWP-22488-2026, CWP-22490-2026, CWP-22491-2026, CWP-22494-2026, CWP-22495-2026 and CWP-22664-2026 as common issues arise in all cases.

2. CWP-22438-2026 is taken up as the lead case. Prayer in the present civil writ petition is for direction to respondent no.1 to decide the execution petition no. E/1542/2024 in a time bound manner.

3. Learned counsel for the petitioner has highlighted that vide order dated 16.11.2023, the Haryana Real Estate Regulatory Authority, Gurugram, in addition to the payment of interest etc. had also directed the respondents to hand over the possession of the subject unit after obtaining occupation certificate from the competent authority and after payment of outstanding dues. Para 20 of the judgment dated 16.11.2023, which has been highlighted, is reproduced hereinbelow:-

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“20. Hence, the authority hereby passes this order and issues the following directions under section 37 of the Act to ensure compliance of obligation cast upon the promoter as per the function entrusted to the authority under section 34(f) of the Act of 2016:

I. The respondent is directed to pay interest to the complainant/allottee on the paid-up amount at the prescribed rate of 10.75% p.a., for every month of delay from the due date of possession i.e., 29.03.2021 till the actual handing over of possession or offer of possession + 2 months whichever is earlier.

II. The respondent is directed to handover the possession of the subject unit after obtaining occupation certificate from the competent authority and after payment of outstanding dues, if any.

III. The arrears of interest accrued so far shall be paid to the complainant within 90 days from the date of this order and interest for every month of delay shall be paid by the promoter to the allottee before 10th of the subsequent month as per rule 16(2) of the rules.

IV. The complainant is directed to pay outstanding dues, if any, after adjustment of interest for the delayed period.

V. The rate of interest chargeable from the allottees by the promoter, in case of default shall be charged at the prescribed rate i.e., 10.75% by the respondent/promoter which is the same rate of interest which the promoter shall be liable to pay the allottees, in case of default i.e., the delayed possession charges as per section 2(za) of the Act. Further no interest shall be charged from complainant-allottee for delay if any between 6 months Covid period from 01.03.2020 to 01.09.2020.

VI. The respondent shall not charge anything from the complainant which is not the part of the agreement.

21. Complaint stands disposed of.

22. File be consigned to registry.

Dated: 16.11.2023”

4. It is further submitted that after passing of the said judgment, the petitioner had filed an execution petition and has referred to zimni

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orders to show that the same is being adjourned without any effective hearing. It is fairly submitted that although respondent no.2 has filed an appeal before the Appellate Tribunal but there is no stay in the said appeal. It is further pointed out that although the deposit was also made by respondent no.2 as required under Section 43(5) of the RERA Act, 2016, yet that would not absolve the respondent no.2 from giving the possession of the property in question. It is submitted that at any rate, the Executing Court is to proceed in the matter, moreso, when no stay has been granted by the Appellate Tribunal in favour of the respondent no.2 in the appeal filed against the judgment dated 16.11.2023 passed in favour of the petitioner.

5. Learned counsel for the petitioner has further relied upon the order dated 18.05.2026 passed by the Co-ordinate Division Bench of this Court in CWP-15355-2026, the operative portion which has been highlighted, is reproduced hereinbelow:-

“3. In view of the judgment passed by the Supreme Court of India in Rahul S. Shah Vs. Jinendra Kumar Gandhi and others 2021 INSC 270, present writ petition is disposed of with a direction to the Executing Court to decide the execution petition as expeditiously as possible, preferably within a period of six months from the date of receipt of certified copy of this order.

4. All pending civil miscellaneous application(s), if any, also stand disposed of.”

6. It is submitted that the prayers made in the other connected writ petitions are also similar to the relief sought in the present writ petition.

7. Keeping in view the above said facts and circumstances, the

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present writ petitions are disposed of with a direction to the Executing Court in all the cases to decide the execution applications in accordance with law, as expeditiously as possible, preferably within a period of six months from the date of receipt of certified copy of the present order.

8. In case respondent no.2 is aggrieved by the present order, it would be open to respondent no.2 to move an application for recalling of the present order.

(VIKAS BAHL)
JUDGE

(SUBHAS MEHLA)
JUDGE

August 03, 2026.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No