BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Date of Decision: November 21, 2026

(1) CM No. 601 of 2023 in

Appeal No. 184 of 2023

Sat Pal Dewan, R/o 599, Dr. Mukharjee Nagar, Delhi-110009

Appellant.

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through Authorised Representative, 404, Nirmal Tower 26, Barakhamba Road, New Delhi-110001

Respondent

(2) CM Nos.602 and 874 of 2023 In

Appeal No.188 of 2023

1. Chetan Kumar Bhayya;
2. Swati Bhayya

Both residents of Flat No.201, Tower-2, Valley View Estate, Gurugram Faridabad Road, Gurugram 122001

Appellants

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(3) CM Nos.603 and 871 of 2023 In

Appeal No.185 of 2023

Divya Dewan resident of 599, Daughter Mukharji Nagar, Delhi 110009

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(4) CM No.1277 of 2023 In

Appeal No.503 of 2023

LDS Guarding Solutions Pvt. Ltd, through its Authorized Signatory, CH01, Sector 71, Nioda, Gautam Budha Nagar, UP

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(5) CM No.1275 of 2023 In

Appeal No.504 of 2023

Madanmohan Sharma resident of 8198, Pocket-8, Sector D, Vasant Kunj, New Delhi 110070

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(6) CM No.1272 of 2023 In

Appeal No.563 of 2023

1. Parshuram Narsingh Deshpande;

2. Neelima Deshpandey

Both residents of Flat No.409, Wing-4A, Sobha Quartz, Green Layout Bellndur, Bengaluru 560103

Appellants

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(7) CM No.489 of 2025 In

Appeal No.107 of 2024

Aditya Vardhan Tibrewala resident of 278, Rani Sati Nagar, Janpath Lane-3, Nirman Nagar, Ajmer Road, Jaipur 302019

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(8) CM No.1273 of 2023 In

Appeal No.499 of 2023

Sharad Bhargava HUF, resident of Flat No.M-83, South City-I, Gurugram 122001

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(9) CM No.1278 of 2023 In

Appeal No.502 of 2023

Sanjay Goel, resident of Flat No.J-501, Bestech, Park View Spa, Next, Sector 67, Gurugram

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(10) CM No.850 of 2023 In

Appeal No.283 of 2023

1. Subhash Chander Tandon

2. Neelam Tandon

Both residents of House No.2296, C-II, Vasant Kunj, Delhi 110070

Appellants

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(11) Appeal No.282 of 2023

1. Subhash Chander Tandon
2. Neelam Tandon

Both residents of House No.2296, C-II, Vasant Kunj, Delhi 110070

Appellants

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(12) CM Nos.1331 and 930 of 2023 In

In Appeal No.463 of 2023

Aditya Vardhan Tibrewala resident of 278, Rani Sati Nagar, Janpath Lane-3, Nirman Nagar, Ajmer Road, Jaipur 302019

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(13) CM Nos.1332-A and 932 of 2023 In

In Appeal No.462 of 2023

Aditya Vardhan Tibrewala resident of 278, Rani Sati Nagar, Janpath Lane-3, Nirman Nagar, Ajmer Road, Jaipur 302019

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(14) CM No.1271 of 2023 In

In Appeal No.501 of 2023

Sanjay Goel, resident of Flat No.J-501, Bestech, Park View Spa, Next, Sector 67, Gurugram

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(15) CM No.1276 of 2023 In

In Appeal No.500 of 2023

1. Vinod Kumar;
2. Rajender Prakash

Both residents of House No.114/9, Shivpuri, Gurugram and

House No.389/9, Shivpuri, Gurugram.

Appellants

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(16) CM No.1274 of 2023 In

In Appeal No.498 of 2023

Shraddha Pandey resident of 32, Mangalpuri, Ismail Ganj, Chinhat, Lucknow 227105

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(17) Appeal No.284 of 2023

1. Shweta Jain;
2. Abhishek Jain

Both residents of D-8/13, First Floor, ARDEE City, Sector 52, Gurugram

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(18) CM Nos.604 and 873 of 2023 In

Appeal No.189 of 2023

Joginder Mohan resident of 599, Dr. Mukherjee Nagar, Delhi

110009

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

(19) CM Nos.1382 of 2023 In

Appeal No.699 of 2023

Yashpal Saluja, resident of C-47, Gujranwala Reetail Shop, Vikaspuri, Delhi 110018

Appellant

Versus

M/s Silverglades Infrastructure Pvt. Ltd. through its authorized representative having registered office at: 404, Nirmal Tower, 26 Barakhamba Road, New Delhi-110001

Respondent

Present: Mr. Venket Rao, Advocate and
Mr. Pankaj Chandola, Advocate,
Mr. Yashvir Singh Balhara, Advocate
Mr. Arun Sharma, Advocate,
Ms. Preeti Manderna, Advocate,
Ms. Pallavi Attoria, Advocate
for the appellant-allottee.

Mr. Shekhar Verma, Advocate and
Mr. Pranjal P. Chaudhary, Advocate
Mr. Neetu Singh, Advocate,
Mr. V. Shokeen, Authorised Representative
for the respondent-promoter.

CORAM:

Justice Rajan Gupta **Chairman**
Dr. Virender Parshad **Member (Judicial)**

O R D E R:

RAJAN GUPTA, CHAIRMAN

This order shall dispose of above-mentioned appeals, as common questions of law and facts are involved therein. However, the facts have been extracted from Appeal No. 184 of 2023.

2. Present appeal is directed against order dated 28.09.2021 passed by the Authority[1]. Operative part thereof reads as under:

> ***"I. Directions of the authority***
>
> *45. Hence, the authority hereby passes this order and issues the following directions under section 37 of the Act to ensure compliance of obligations cast upon the promoter as per the function entrusted to the authority under section 34(f):*
>
> *i. The respondent is directed to pay interest at the prescribed rate of 9.30% p.a. for every month of delay from the due date of possession i.e. 30.05.2017 till 20.04.2020 i.e. date of offer of possession (20.02.2020) +2 months.*
>
> *ii. The arrears of such interest accrued from 30.05.2017 till 20.04.2020 shall be paid by the promoter to the allottee within a period of 90 days from date of this order as per rule 16(2) of the rules.*
>
> *iii. The complainant is further directed to take possession of the allotted unit after clearing all the dues, if any, within a period of 2 months as per section 19(10) of the Act and failing which legal consequences as per the provisions of the Act will follow.*

[1] Haryana Real Estate Regulatory Authority, Gurugram

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 allottee by the promoter, in case of default shall be at the prescribed rate i.e. 9.30% by the respondent/promoter which is the same rate of interest which the promoter shall be liable to pay the allottee in case of default i.e. the delayed possession charges as per section 2(za) of the Act.

vi. The respondent shall not charge anything from the complainant which is not part of the buyer's agreement. However, holding charges shall not be charged by the promoter at any point of time even after being part of agreement as per law settled by hon'ble Supreme Court in civil appeal nos. 3864-3899/2020.

46. Complaint stands disposed of.

47. File be consigned to registry."

3. The appeal is accompanied by applications seeking condonation of delay of 439 day in filing and 77 days in refiling there.

4. The impugned judgment is dated 28.09.2021. As per the appellants, the order was uploaded on 20.12.2021. Various meetings were conducted between the appellant and his counsel for seeking appropriate legal opinion. It took time for the appellant to provide the relevant documents. After examining and verifying the record, the appeal was filed before the Tribunal. The delay occurred for bonafide reasons which were beyond the control of the appellant.

5. We have heard learned counsel for the parties and given careful thought to the facts of the case.

6. In SLP (C) Diary No(s). 54941 of 2025—***State of Odisha and others v. Managing Committee of Namatara Girls High School,*** decided on 09.02.2026, Hon'ble the Supreme Court observed that law of limitation is founded on public policy. The object is that a legal remedy is put to an end so that no litigation remains pending for an indefinite period.

7. In the instant case, the grounds given by the appellant for condoning the delay in filing appeal are not at all convincing. The appeal appears to have been filed by the allottee as an after-thought after the promoter preferred appeal against the impugned order. The promoter approached the Tribunal way back in the year 2022, but for the reasons best known to him, the allottee kept on waiting for such a long time. Under Section 44(2) of the Real Estate (Regulation and Development) Act, 2016, period of 60 days has been prescribed for preferring an appeal. However, in the instant case, appeal has been filed after delay of 439 days and no cogent reasons are forthcoming for condonation thereof. The appellant has failed to prove that he was reasonably diligent in pursuing the matter and this vital test for condoning the delay is not satisfied in the present case.

8. The application is, thus, without any merit and is dismissed.

9. Consequently, the appeal is also dismissed.

10. Pending application(s), if any, stand disposed of.

11. Copy of this order be sent to the parties/their counsel and the Authority.

12. File be consigned to records.

Justice Rajan Gupta,
Chairman,
Haryana Real Estate Appellate Tribunal

Dr. Virender Parshad
Member (Judicial)

November 21, 2026
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