



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-29672-2025 (O&M)
Date of decision : 01.10.2025

Manjit Kaur and another

... Petitioners

Versus

Haryana Real Estate Regulatory Authority, Panchkula and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Gopal Sharma, Advocate for petitioners.

Mr. Deepak Bhardwaj, Advocate for respondent-HRERA.

The petitioners have impugned order dated 05.05.2025 (Annexure P-6), whereby the complaint preferred by the petitioners has been dismissed.

2. Learned counsel for the petitioners submits that the petitioners have filed a complaint before the Haryana Real Estate Regulatory Authority (hereinafter to be referred as 'HRERA'), which was pending adjudication. In the meantime, respondent No.2 had filed CWP No.9300 of 2023 challenging an interim order passed by the HRERA. This Court, vide order dated 02.05.2023 had stayed the operation of the impugned interim order. The said writ petition is pending adjudication before this Court. The HRERA was informed about the order of this Court directing interim stay of the impugned order. The HRERA after noticing the factum of stay granted by this Court had dismissed the complaint on 05.05.2025 without entering into the merits of the case and further held that the complainant shall be at liberty to file a fresh complaint before the authority as and when CWP No.9300 of 2023 is decided.

3. Heard.



4. We find that the impugned order dated 05.05.2025 passed by the HRERA is wholly unsustainable. The proper course, which ought to have been adopted by the HRERA after it was informed about the stay of further proceedings as granted by this Court was that the complaint ought to have been adjourned *sine die* to await the outcome of the writ petition. To dismiss the complaint and direct that the complainant would file a fresh complaint after the decision of this Court, is wholly erroneous. Therefore, we have no hesitation to hold that the impugned order is unsustainable and liable to be set aside. Consequently, the petition is allowed and the impugned order is set aside. The complaint of the petitioners shall be restored to its original number and adjourned *sine die* by the HRERA to await the outcome of the order in CWP No.9300 of 2023.

5. All pending miscellaneous application(s), if any, shall also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

01.10.2025

Sapna

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