



136 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.23688 of 2025 (O&M)

Date of Decision: 18.08.2025

RAJENDRA KUMAR RASTOGI AND ANOTHER

.....Petitioners

Versus

THE HARYANA REAL ESTATE APPELLATE TRIBUNAL
CHANDIGARH AND ANR

.....Respondents

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

Present: Petitioner No.1-Col. Rajendra Kumar Rastogi in person.
(through V.C.)

Mr. Ankur Mittal, Advocate and
Ms. Ashna Singh, Advocate
for the respondents.

ANUPINDER SINGH GREWAL, J. (Oral)

The petitioners have challenged the order of the Haryana Real Estate Appellate Tribunal dated 06.06.2025 (Annexure P-1).

2. After hearing petitioner No.1, at some length, who is present in person through video-conferencing, we are of the considered view that the petitioners instead of filing an appeal under Section 58 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the Act, 2016) has preferred the instant writ petition.

3. At this juncture, petitioner No.1 submits that he may be permitted to file an appeal under Section 58 of the Act, 2016 and the period of limitation be condoned as the petitioners were *bona fide* seeking remedy before this Court. He also submits that he is 70 years old and a



retired Officer of the Indian Army. He is unwell, suffering from Hypertension and a cancerous growth in his urinary bladder and therefore, he be provided legal assistance to help him to file the appeal.

4. The petitioner No.1, who is 70 years old and a retired Officer of the Indian Army. The instant petition was filed on 03.07.2025 and therefore, if the time which was taken in these proceedings is excluded, the appeal would be within the period of limitation. Consequently, this petition is disposed of with liberty to the petitioners to prefer an appeal under Section 58 of the Act, 2016 within a period of 30 days. The petitioners may approach the Secretary, High Court Legal Services Authority, who shall provide legal assistance to the petitioners.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

18.08.2025

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| Whether Speaking/Reasoned : | Yes/No |
| Whether Reportable : | Yes/No |