



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 9571 of 2026
Decided on: 17.06.2026

Vikas Madan and another

.....Petitioners

Versus

State of H.P and others

..Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioners:

Mr. Suryanarayana Singh, Senior Advocate with Mr. Anshul Gandhi & Mr. Harshith Pottangi, Advocates.

For the Respondents:

Mr. Y.P.S. Dhaulta, Additional Advocate General for respondents No. 1.

Mr. Raman Ravi Verma, Advocate, for respondent No.2.

Jyotsna Rewal Dua, Judge

Immediate grievance of petitioners is against an order dated 03.05.2026 (Annexure P-1) passed by respondent No.2- Himachal Pradesh Real Estate & Regulatory Authority (RERA), Shimla. The impugned order inter alia orders for issuing warrant of arrest of S/Shri Vikas Madan and Pankaj Madan, (petitioners No. 1 & 2, respectively) as per procedure prescribed in Himachal Pradesh Real Estate Regulatory Authority (Adjudication of Execution Petition) Regulations No. 3 of 2020. The

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.



impugned order also directs Principal Secretary (Revenue), Government of National Capital Territory (NCT) of Delhi to expedite the recovery process including sale of subject property. Separate reminder has also been ordered to be issued to District Magistrate, Delhi for expediting investigation as also recovery proceedings and for submitting the detailed status report on the next date of hearing assigned in the order as 18.07.2026.

2. Learned Senior Counsel for the petitioners submits that impugned order though is appellable in terms of Section 43(5) of The Real Estate (Regulation & Development) Act, 2016 before Real Estate Appellate Tribunal, however, Real Estate Appellate Tribunal, Chandigarh catering for the respondent- State is not holding the Court at present on account of vacations; The normal functioning of Real Estate Appellate Tribunal will resume on 01.07.2026. That this has necessitated & compelled the petitioners to move this writ petition under Article 226 of the Constitution of India seeking relief in the interregnum. The above facts are not disputed by learned counsel appearing for RERA (respondent No.2).

3. In view of above & keeping in view the limited relief urged by learned Senior Counsel for the petitioners, there is neither any necessity to issue notice to



respondent Nos. 3-8 nor there is any necessity to call for reply from the appearing respondents. Matter has accordingly been heard for the limited purpose to protect the interest of petitioners in interregnum till normal Court functioning is resumed by the Real Estate Appellate Tribunal.

4. For the foregoing, in order to protect the interest of the petitioners and also in the interest of justice, this writ petition is disposed of with the order that impugned order dated 23.05.2026 (Annexure P-1) passed by respondent No.2 shall remain in abeyance till 07.07.2026. This order has been passed to enable the petitioners to exercise their statutory remedies in accordance with law against the impugned order before the Real Estate Appellate Tribunal. It is clarified that while passing this order, merits of the order have not been considered. This order has been passed in peculiar circumstances where petitioners admittedly cannot seek consideration of their appeal against impugned order passed by respondent No.2 till 01.07.2026 on account of vacations in Real Estate Appellate Tribunal. Pending miscellaneous application(s), if any, shall also stand disposed of.

June 17, 2026
yogesh

Jyotsna Rewal Dua
Judge