



2026:CGHC:13697-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MA No. 2 of 2026**

1 - M/s Parthivi Construction Pvt. Ltd., Through Its Directors Mr. Shailesh Verma And Mrs. Neena Verma, R/o Parthivi Pacific, Near Axis Bank, G.E. Road, Tatibandh, Raipur (C.G.)

2 - Mr. Shailesh Verma S/o Lt. M. L. Verma Aged About 57 Years, Director - M/s Parthivi Construction Pvt. Ltd., R/o Parthivi Pacific, Near Axis Bank, G.E. Road, Tatibandh, Raipur (C.G.)

3 - Mrs. Neera Verma, W/o Shailesh Verma Aged About 55 Years, Director M/s Parthivi Construction Pvt. Ltd., R/o Parthivi Pacific, Near Axis Bank, G.E. Road, Tatibandh, Raipur (C.G.)

4 - Shri Sanjay Baghel S/o Lt. Shri S.N. Baghel, Aged About 58 Years, Director - M/s Parthivi Constructions Pvt. Ltd., R/o Rohinipuram, Dindayal Upadhyay Nagar, Distt.- Raipur (C.G.)

... Appellants**versus**

Shri Bhuneshwar Prasad Verma S/o Shri K.R. Verma Aged About 51 Years
R/o Akoli, Post- Deori, Raipur (C.G.)

... Respondent

For Appellants : Shri Shahid Siddiqui appears along with Ms. Vedangi Jangde, Advocates.

**DB:Hon'ble Shri Justice Sanjay S. Agrawal &
Hon'ble Shri Justice Amitendra Kishore Prasad, Judge**

Judgment on Board

Per Sanjay S. Agrawal, J.

23/03/2026

Heard on admission.

1. The appellants have filed this appeal under Section 58 of the Chhattisgarh Real Estate (Regulation and Development) Act, 2016 (for short, '*the Act, 2016*') questioning the legality and propriety of the order dated 26/09/2025 passed by the Chhattisgarh Real Estate Appellate Tribunal, Raipur (C.G.) in Appeal No. (un-registered)/2025, whereby, the appeal preferred by the appellants has been dismissed for non-compliance of the order dated 20/08/2025.
2. From perusal of the record, it appears that a complaint was filed by the respondent against the appellants before the Chhattisgarh Real Estate Regulatory Authority, Raipur, wherein, it was stated by the respondent that he wanted to purchase a shop for himself for commercial purpose, for which, an agreement for allotment of shop in a commercial and residential project known as 'White Symphony' at Sector No.15, Naya Raipur, Raipur, was executed between the parties on 16/05/2016 and, in pursuant to which, Shop No.21 and 22 at Level-1, commercial floor was allotted to him and, the total amount of consideration to the tune of Rs.83,60,000/- (Rs. Eighty three lacs and sixty thousand only) was paid by the respondent to the appellants on different dates.

3. The aforesaid claim was contested by the appellants, submitting inter alia, that the alleged agreement was a fraudulent one and therefore, the claim as made by the respondent deserves to be dismissed.
4. After considering the said complaint made by the respondent and, the reply submitted to it, the Real Estate Regulatory Authority vide its order dated 27/06/2025 (Annexure-A/2) has allowed the same while directing the appellants to pay a total sum of Rs.1,06,79,900/- (Rs. One crore six lacs seventy nine thousand and nine hundred only) and, being aggrieved with the said order, an appeal was preferred by the appellants before the Chhattisgarh Real Estate Appellate Tribunal under Section 44 of the Act, 2016, along with an application seeking exemption to deposit 30% of the said awarded amount.
5. It appears that after considering the said application, the Chhattisgarh Real Estate Appellate Tribunal, Raipur by taking note of Section 43(5) of the Act, 2016 has rejected the same vide its order dated 20/08/2025 and directed the appellants to deposit the same as under :-

“Looking to the above-mentioned facts & circumstances of the case, looking to the aforesaid provisions of dated 43(5) of the Act 2016, looking to the aforesaid observation made by Hon'ble Supreme Court I.A. No. 1 is rejected and appellants are directed to deposit the amount of Rs.1,06,79,900/- which has ordered by the RERA to give the respondent till next date of hearing failing which the appeal shall stand automatically dismissed.”

6. Since the aforesaid direction was not complied with, the order impugned has, therefore, been passed by the Chhattisgarh Real Estate Appellate Tribunal, Raipur while dismissing the appeal preferred by the appellants under Section 44 of the Act, 2016.
7. The order impugned has, thus, been passed as the appellants have failed to comply with the statutory requirement provided under proviso to sub-section (5) of Section 43 of the Act, 2016, we are, therefore, do not find any question of law, much less the substantial questions of law which arise for determination in this appeal.
8. The appeal is, accordingly, dismissed at the admission stage itself.

Sd/-
(Sanjay S. Agrawal)
Judge

Sd/-
(Amitendra Kishore Prasad)
Judge