

Netra Prakash Sharma and Varun Sharma (co-applicant)
Vs.
Sidharth Buildhome Pvt. Ltd.

E.A. No.01 of 2020
in
Appeal No.192 of 2019

Present: Shri Akshat Mittal, Advocate, ld. counsel for the petitioner.
Shri Abhimanyu Singh, Advocate, ld. counsel for the respondent.

[The aforesaid presence is being recorded through WhatsApp Video Conferencing since the proceedings are being conducted in virtual court.]

Learned counsel for the respondent has filed the *Vakalatnama* alongwith board resolution, which is taken on record.

Learned counsel for the respondent states that the respondent/promoter is ready to refund the amount as per the affidavit filed on 19.08.2019 before this Tribunal. He states that the respondent/promoter may be allowed to pay this amount in two instalments. Fifty percent of the amount shall be paid on or before 15.10.2020 and the second instalment will be paid on or before 30.11.2020.

In order to further straight the record, it is clarified that the respondent/promoter will refund the principal amount of Rs.50,94,244/- alongwith interest @ 10.45% per annum. The interest is to be calculated w.e.f. 01.01.2017 till the date of payment.

The present petition stands disposed of in view of the aforesaid undertaking of learned counsel for the respondent and our observations, with liberty to the petitioner to file fresh petition in case this undertaking is violated by the respondent/promoter.

Copy of this order be communicated to learned counsel
for the parties/parties and the learned Authority.

File be consigned to the records.

Justice Darshan Singh (Retd.)
Chairman,
Haryana Real Estate Appellate Tribunal,
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

September 03rd, 2020
CL

