

M/s B.M Gupta Developers Pvt. Ltd.
Vs.
Satya Pal Mehndiratta and Anr.
Appeal No.1320 of 2019

Present: Shri Ajay Chhikara, Advocate, Ld. counsel for the applicant-appellant. (in person)
Shri Himanshu Raj, Advocate, Ld. counsel for the respondents.

{The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court}

File has been taken up today on the basis of the application for modification of the order dated 04th February, 2020 passed by this Tribunal in Appeal No.1320 of 2019.

Shri Himanshu Raj, Ld. counsel for the respondents has appeared as he had appeared before this Tribunal in some other case.

This application has been moved for modification of the order on the ground that the parties have compromised and the amount deposited by the applicant-appellant is to be returned to it as per the compromise. The order passed by this Tribunal will require modification as we have directed the said amount to be disbursed to the respondents-allottees.

Shri Himanshu Raj, Ld. counsel for the respondents has confirmed the factum that the parties have compromised and as per the terms of the compromise, the amount deposited by the appellant-promoter is to be returned to it and he has no objection in the modification of the order dated 04th February, 2020 passed by this Tribunal to this extent.

Thus, the order dated 04th February, 2020 passed by this Tribunal in Appeal No.1320 of 2019 is hereby modified and it is ordered that in view of the compromise between the parties, the

amount deposited by the appellant-promoter with this Tribunal in compliance of proviso to Section 43(5) of the Real Estate (Regulation & Development) Act, 2016 be returned to the appellant-promoter.

Application stands disposed of accordingly.

Copy of this order be communicated to Ld. counsel for both the parties as well the Ld. Authority for compliance.

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)
(Joined through video-conferencing)

17.12.2020
Gaurav