

M/s Emaar India Ltd.
Vs.
Kamaljot Kaur and Anr.

Appeal No. 139 of 2022

Present: Ms. Tanika Goel, Advocate, Ld. counsel for the appellant.
Shri Santveer Singh Bawa, Brother of the respondent no. 1 and
Brother-In-Law of respondent no. 2.

In response to the notice issued to the respondents, Shri Santveer Singh Bawa, Brother of the respondent no. 1 and Brother-In-Law of respondent no. 2, has put up in appearance.

An email has also been received from the respondents wherein they confirmed the factum of the settlement arrived at between the parties.

Ld. counsel for the appellant has placed on file the settlement agreement dated 02.09.2021 vide which the amicable settlement has been arrived at between the appellant and the respondents. Shri Santveer Singh Bawa has also verified and confirmed the factum of the said settlement.

Ld. counsel for the appellant has stated that in view of the aforesaid compromise arrived at between the parties, she does not intend to pursue the present appeal and further the same may be dismissed as withdrawn. The amount deposited by the appellant with this Tribunal in compliance of Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (for short, the Act) may be refunded.

Shri Santveer Singh Bawa, who has appeared on behalf of the respondents, has no objection in withdrawal of the present appeal and refund of the amount to the appellant.

In view of the statement made at bar by Ld. counsel for the appellant and said Shri Santveer Singh Bawa, the present appeal is hereby dismissed as withdrawn. The amount of Rs. 33,77,835/-, deposited with this Tribunal as pre-deposit, along with interest accrued be sent to the Ld. Authority for disbursement to the appellant subject to tax liability, if any, as per law and rules.

Copy of this order be conveyed to the parties/Ld. counsel for the parties and the Ld. Haryana Real Estate Regulatory Authority, Gurugram for information and necessary compliance.

File be consigned to the record.

Inderjeet Mehta
Member (Judicial)
Haryana Real Estate Appellate Tribunal
Chandigarh

Anil Kumar Gupta
Member (Technical)

26.07.2022
rajni