

Emaar India Ltd.
Vs.
Ishita Khurana
Appeal No. 137 of 2022

Present: Ms. Tanika Goel, Advocate, Ld. counsel for the appellant.

Ms. Ishita Khurana, respondent in person. (on Whatsapp call)

Ld. counsel for the appellant states on the instructions of the appellant that the matter has been amicably settled between the parties. She does not want to proceed further with the present appeal. The same may be dismissed as withdrawn and the amount deposited by the appellant with this Tribunal in compliance of proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (for short, the Act) may be refunded.

Ms. Ishita Khurana, Respondent has been contacted on Whatsapp call wherein she verified the factum and authenticity of the settlement agreement dated 22.02.2022 between the parties. She has stated that she has received the amount as per the settlement agreement dated 22.02.2022 and has no objection if the amount deposited by the appellant to comply with proviso to Section 43(5) of the Act be remitted back to the appellant.

In view of the statements made at bar by Ld. counsel for the appellant as well as the respondent, the present appeal is hereby dismissed as withdrawn. The amount of Rs. 24,37,208/-, 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)

03.08.2022
rajni