

Emaar India Ltd.  
Vs.  
Dhiraj Anand Khatri & Anr.

Appeal No. 163 of 2022

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

Shri Dhiraj Anand Khatri, respondent no. 1 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 The same may be dismissed as withdrawn and the amount deposited by the appellant with this Tribunal in compliance of proviso to Section 43(5) of the Real Estate (Regulation and Development) Act,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.

Shri Dhiraj Anand Khatri, Respondent No. 1 has been contacted on Whatsapp call wherein he verified the factum and authenticity of the settlement agreement dated 21.06.2022 between the parties. He stated that he as well as his wife Mrs. Shweta Khatri (Co-respondent) have received the amount as per the settlement agreement dated 21.06.2022 and have 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for the appellant as well as Shri Dhiraj Anand Khatri (respondent no. 1), the present appeal is hereby dismissed as withdrawn. The amount of Rs. 38,74,859/-, 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  
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