

Emaar MGF Land Ltd. V/s Vishal Bakshi  
Appeal No.317 of 2020

Present: Shri Kunal Dawar, Advocate,  
Ld. counsel for the appellant.

None for the respondent.

On the last date of hearing, Ld. counsel for the appellant had placed on file the Settlement Agreement dated 30.06.2022 arrived at between the parties. The copy of the settlement agreement dated 30.06.2022 was sent to Shri Pawan Kumar Ray, Advocate, Ld. counsel for the respondent for confirmation and verification of the Settlement Agreement. A request through e-mail was received from Shri Pawan Kumar Ray also on the last date of hearing stating therein that as he was suffering from some ailment, so he was not in a position to attend the proceedings.

Even today, no response has been received either from the respondent or his counsel.

Ld. counsel for the appellant has stated that Settlement Agreement dated 30.06.2022 arrived at between the parties and the matter has been finally settled. As per the instructions of the appellant-company the due amount has already been paid to the respondent. He has further stated that he 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 The same may be dismissed as withdrawn and the amount deposited by the appellant with this Tribunal in compliance of Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (further called, 'the Act') may be refunded.

In view of the statement made at Bar by Ld. counsel for the appellant, the present appeal is hereby dismissed as withdrawn. The amount of Rs.27,72,119/- deposited with this Tribunal as pre-deposit, along with interest accrued thereon be sent to the Ld. Authority for

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disbursement to the appellant subject to tax liability, if any, as per law and rules.

However, it is made clear that the terms of the above said agreement would be binding upon the parties.

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.

The application(s), if any pending, stands disposed of.

File be consigned to the record.

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

Anil Kumar Gupta  
Member (Technical)

August 26, 2022  
Manoj Rana