

Sana Realtors Pvt. Ltd.
Vs.
Gravity Rail Infra and Advisory Pvt. Ltd.
Appeal No.211 of 2019

Present: Shri Manu K. Bhandari, Advocate, ld. counsel for the appellant.
Shri Virinder Singh Dhindsa, Advocate, ld. Counsel for respondent.

In response to the notice issued by this Tribunal, on behalf of respondent, Shri Virinder Singh Dhindsa, Advocate, has put in appearance and filed his Power of Attorney, which is taken on record.

Both the learned counsel for the parties have stated that the matter has been amicably settled between the parties in view of the 'Memorandum of Settlement' dated 19.09.2022. Learned counsel for the appellant has placed on record the original as well as the copy of the same. After going through the original and comparing with the Photostat copy, the original is being returned to the learned counsel for the appellant.

Learned counsel for the respondent has stated that in view of the amicable settlement arrived at between the parties, the respondent will not execute the impugned order.

In view of the statement of learned counsel for the parties, at bar, as well as the 'Memorandum of Settlement' dated 19.09.2022, arrived at between the parties, the appeal is dismissed as compromised. Both the parties shall abide by the terms and conditions of the 'Memorandum of Settlement' dated 19.09.2022 and the same would form part of this order.

The amount deposited by the appellants-promoter i.e. Rs.10,71,972/- with this Tribunal to comply with the proviso to Section 43(5) of the Real Estate (Regulation and Development) Act,

2016, along with interest accrued thereon, be sent to the learned Authority for disbursement to the appellant subject to tax liability, if any, as per law and rules.

The copy of this order be communicated to the parties/learned counsel for the parties and the learned Authority for compliance.

File be consigned to the record.

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

September 27, 2022

CL

Anil Kumar Gupta
Member (Technical)