

M/s Saera Auto India Pvt. Ltd.
Vs.
Sumit Kumar and Asian Developers Ltd.

Appeal No. 468 of 2021

Present: Shri Pranav Proothi, Advocate, ld. counsel for the appellant.

None for the respondent no 1.

Respondent No.2 ex parte.

Ld. counsel for the respondent is not present. We have received an email from Shri Nikunj Hurria, Advocate, ld. counsel for the respondent no. 1, wherein it is mentioned that after consulting respondent it is the position that there is no objection if M/s Sarea Auto India Pvt. Ltd. (Appellant herein) is deleted from the array of the parties in the complaint filed by the respondent before the Real Estate Regulatory Authority, Panchkula. It is an admitted fact that no such complaint is pending before this Tribunal and the complaint is still stated to be pending before the Ld. Authority. So, request for deletion of name of the appellant from the array of the complaint is totally mis-conceived before this Tribunal. This type of request should have been moved to the ld. Authority, to be considered in accordance with law, before whom the complaint filed by the respondent no. 1 is pending.

In view of the aforesaid observations and the email sent by ld. counsel for the respondent, ld. counsel for the appellant states that he does not want to proceed further with the present appeal and the same may be dismissed as withdrawn without any prejudice to the rights of the appellant in the complaint pending before the ld. Authority.

Ordered accordingly.

File be consigned to the records.

Justice Darshan Singh (Retd.)
Chairman,
Haryana Real Estate Appellate Tribunal,
Chandigarh

Inderjeet Mehta
Member (Judicial)