

M/s Ultratech Township Development Pvt. Ltd.
V/s
Gaurav Pahwa and Others

Appeal No. 226 of 2019

Present: Shri Shobit Phutela, Advocate, for Ms. Divya Kathuia,
Advocate, Ld. counsel for the appellant.

Shri Mukesh Singh Tomar, Advocate, for Shri Nitin Kant Setia,
Advocate, ld. counsel for the respondent.

Report of the office perused.

Let appeal be restored.

This Appeal was adjourned sine-die due to pendency of the RERA APPL NO. 18 of 2019 before the Hon'ble High Court. The said appeal has been disposed of by the Hon'ble High Court vide order dated April 26, 2022 and the appellant was granted six weeks' time to deposit the required amount to comply with the Provisions of proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (in short Act).

As per the report of the office, no amount has been so far deposited by the appellant-promoter to comply with the provisions of proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016. Six weeks' time granted by the Hon'ble High Court has already expired. So, the present appeal cannot be entertained due to non-compliance of mandatory provisions of proviso to Section 43(5) of the Act.

Thus, due to non-compliance of Section 43(5) of the Act, the present appeal is hereby dismissed.

File be consigned to the records.

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

Inderjeet Mehta
Member (Judicial)

27.06.2022
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