

BPTP Ltd. V/s Atul Kumar Rohatgi

Appeal No. 356 of 2019

Present: Shri Hemant Saini, Advocate, Ld. counsel for the appellant.

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

In view of the report of the office, the present appeal is hereby restored.

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 (in short Act). It has not been disputed before this Tribunal that SLPs filed by the appellant-promoter has been dismissed by the Hon'ble Apex Court and the appellant-promoter has not complied with the condition of pre-deposit which is mandatory for entertainment of the appeal.

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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