

M/s Athena Infrastructure Ltd.  
Vs  
Mr. Vijay Shamsheer Rai  
Appeal No.1397 of 2019

Present: Shri Ramender Singh, Advocate for  
Shri Rajiv Anand, Advocate,  
Ld. counsel for the appellant.

Office note perused.

The appeal is restored.

As per office report, the appellant-promoter has not so far deposited any amount to comply with the provisions of proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (for short, 'the Act'). This fact has not been disputed at bar that the writ petition filed by the appellant has been disposed of by the Hon'ble High Court vide Judgment/Order dated 16<sup>th</sup> October, 2020 and even the SLPs against the said judgment of the Hon'ble High Court have been disposed of by the Hon'ble Supreme Court vide Orders dated 11<sup>th</sup> May, 2022, 12<sup>th</sup> May, 2022 and 13<sup>th</sup> May, 2022. Since the appellant has not complied with the mandatory provisions of pre-deposit, so the present appeal cannot be entertained and the same is hereby dismissed.

Copy of this order be sent to the concerned parties.

File be consigned to the record.

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

Inderjeet Mehta  
Member (Judicial)

27.06.2022  
Manoj Rana