

Emaar India Limited
Vs.
Umesh Singh

Appeal No. 397 of 2022

Present: Shri Kunal Dawar, Advocate with Ms. Tanika Goel,
Advocate, ld. counsel for the appellant.

Shri Tarun Yadav, Advocate, ld. counsel for the
respondent.

Ld. counsel for the appellant states that the matter has been amicably settled between the parties vide settlement deed dated 31.08.2022. The photocopy of the same has been placed on record. He further stated that he does not want to proceed further with the present appeal. The same may be dismissed as withdrawn. The amount deposited by the appellant with this Tribunal in compliance of Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (for short, the Act) may be refunded.

An email has been received from the respondent stating therein that he is not in a position to attend the proceedings today and Shri Tarun Yadav, Advocate has appeared on his behalf in the present case. He stated that he received the amount as per the settlement agreement dated 31.08.2022 and has no objection if the amount deposited by the appellant to comply with proviso to Section 43(5) of the Act be remitted back to the appellant.

In view of the statements made ld. counsel for the parties, the present appeal is hereby dismissed as withdrawn. The amount of Rs. 37,26,228/-, deposited with this Tribunal as pre-deposit, along with interest accrued be sent to the Ld. Authority for disbursement to the appellant subject to tax liability, if any, as per law and rules.

Copy of this order be conveyed to the parties/Ld. counsel for the parties and the Ld. Haryana Real Estate Regulatory Authority, Gurugram for information and necessary compliance.

File be consigned to the record.

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

Anil Kumar Gupta
Member (Technical)