

M/s TDI Infrastructure Limited
Vs.
Pawan Kumar
CM No.56 of 2022
in
Appeal No.338 of 2019

Present: None.

Case called several times but none has put up in appearance on behalf of the applicant/appellant. It is already 4:00 P.M.

2. The present C.M. No.56 of 2022 has been filed by the applicant/appellant for restoration of appeal no.338/2019 titled as 'M/s TDI Infrastructure Limited Vs. Pawan Kumar', stating that in accordance with the order dated 13.05.2022 handed down by the Hon'ble Supreme Court in SLP (Civil) No.13093 of 2020, the applicant/appellant is ready to deposit the requisite amount in order to comply with the proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (hereinafter called 'the Act').

3. As per the calculations made by the office of this Tribunal, the applicant/appellant was required to deposit an amount of Rs.9,59,353/-, but the applicant/appellant has not deposited the amount till date.

4. Since, the applicant/appellant has not deposited the requisite amount in accordance with the proviso to Section 43(5) of the Act, so, the present application for restoration of the appeal cannot be entertained and the same is accordingly dismissed being not maintainable.

5. Papers be consigned to the record.

Justice Rajan Gupta (Retd.)

Chairman
Haryana Real Estate Appellate Tribunal
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

February 15, 2023
CL