

**BEFORE THE HARYANA REAL ESTATE APPELLATE  
TRIBUNAL**

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Appeal No. 576 of 2021  
Date of Decision: 31.05.2023

M/s Raheja Developers Limited, Registered office W4D, 204/5,  
Keshav Kunj, Western Avenue, Cariappamarg, Sainik Marg, New  
Delhi.

Appellant

Versus

1. Manoj Malik,
2. Sonal Malik

Both the residents of House No. K-226, Lane W-12, Sainik  
Marg, New Delhi.

Respondents

**CORAM:**

**Justice Rajan Gupta  
Shri Inderjeet Mehta**

**Chairman  
Member (Judicial)**

Present: Ms. Navneet Kaur, Advocate,  
for the appellant.

**O R D E R:**

**Rajan Gupta, Chairman (Oral):**

On the last date of hearing, the following order was  
passed in this case:-

*“Report from the Registry, reads as under:-*

*“The appeal is pending in the Registry for removal  
objections since long time. The advocate concerned has  
not come to the office for removal objection. Despite  
repeated reminders. Moreover, in this case/appeal  
calculation of the pre-deposited amount has not been  
prepared as the statement of account has not submitted  
by counsel for the appellant till date in this Tribunal.”*

*A query was put to learned counsel for the  
appellant, why the present appeal was preferred when*

*no efforts were made to remove objections and to make the necessary pre-deposit to comply with proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016, which is mandatory before the appeal is entertained. No clear answer is forthcoming. Besides, all copies required for Members comprising in Bench are not available. We, thus, consider that the appropriate costs need to be imposed on the appellant.*

*Faced with this situation, learned counsel for the appellant prays for short adjournment.*

*Adjourned to 31.05.2023.”*

Situation today remains same as stated in the para reproduced above. Faced with this situation, she submits that she may be allowed to withdraw the appeal.

Dismissed as withdrawn.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Inderjeet Mehta  
Member (Judicial)

31.05.2023  
Manoj Rana

