

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No.201 of 2022

Date of Decision: 31.03.2023

1. Ashok Kumar Soni son of late Shri Achnit Ram Soni
2. Nandita Soni Malik d/o Shri Ashok Kumar Soni
3. Nishant Soni son of Shri Ashok Kumar Soni

All residents of # C-5, Gulmohar Park, New Delhi 110049

Appellants

Versus

M/s Tata Housing Development Co. Ltd., GF-3, Naurang
House, 21 Kasturba Gandhi Marg, New Delhi 110001

Respondent

CORAM:

**Justice Rajan Gupta
Shri Anil Kumar Gupta**

**Chairman
Member (Technical)**

Present: None for the appellants.

Mr. Kamal Jeet Dahiya, Advocate,
for the respondent.

ORDER:

RAJAN GUPTA, CHAIRMAN:

A communication by way of e-mail has been received from learned counsel for the appellants, which has been diarised in the Registry as No.343 dated 31.03.2023, the same has been put up before us today. We treat it as an

application. Prayer made therein is for withdrawal of Appeal No.201 of 2022 arising out of Complaint No.241 of 2021 filed before the Adjudicating Officer, Haryana Real Estate Regulatory Authority, Gurugram (hereinafter referred, as the Adjudicating Officer).

2. None has appeared on behalf of the appellants.

3. However, Mr. Kamal Jeet Dahiya, Advocate, is present on behalf of the respondent (M/s Tata Housing Development Co. Ltd.). He has brought to our notice that earlier also the appellants had filed an appeal bearing No.490 of 2019 against the order passed by the Haryana Real Estate Regulatory Authority, Gurugram (for short 'the Authority'). The same was withdrawn by them with liberty to file an application/complaint before the Adjudicating Officer, Gurugram. According to him, the appellants thereafter, invoked the jurisdiction of Adjudicating Officer, Gurugram. However, Complaint No.241 of 2021, was dismissed by the Adjudicating Officer, Gurugram vide Order dated 15.09.2021. According to him, another application/complaint has been filed by the appellants before the Adjudicating Officer, Gurugram seeking certain other reliefs, which is pending. He further submits that withdrawal of this appeal will not affect the proceedings.

4. In view of the above, we allow this application.

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5. The appeal is dismissed as withdrawn.
6. Copy of this order be forwarded to the parties/learned counsel for the parties and Haryana Real Estate Regulatory Authority, Gurugram and the Adjudicating Officer of the Authority.
7. File be consigned to the record.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal
Chandigarh

Anil Kumar Gupta
Member (Technical)

31.03.2023

CL