

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No. 447 of 2022 (O & M)
Date of Decision: 10.04.2023

Sana Realtors Pvt. Ltd., registered/corporate office at H-69,
Upper Ground Floor, Outer Circle, Connaught Place, New
Delhi.

Appellant

Versus

Metrocity Softwares Pvt. Ltd., H.No.179, Sector 40 Noida

Respondent

CORAM:

Justice Rajan Gupta
Shri Inderjeet Mehta
Shri Anil Kumar Gupta

Chairman
Member (Judicial)
Member (Technical)

Present: Shri Rohit Kataria, Advocate,
for the appellant.

ORDER:

Rajan Gupta, Chairman (Oral):

In the instant appeal, pre-deposit in terms of proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (for short, 'the Act') has not been made. The appeal, thus, cannot be entertained and the same is dismissed due to non-compliance of the aforesaid proviso.

2. The amount, if any, deposited by the appellant as part of pre-deposit under the proviso to Section 43(5) of the Act be remitted to the Learned Haryana Real Estate Regulatory Authority, Gurugram (for short, the Authority) for disbursement to the appellant-promoter, along with interest accrued thereon, subject to tax liability, if any, according to law.

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3. Copy of this order be communicated to the parties, counsel for the parties and the Authority, Gurugram.
4. File be consigned to the record.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

10.04.2023
Manoj Rana