

**BEFORE THE HARYANA REAL ESTATE APPELLATE  
TRIBUNAL**

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Appeal No. 461 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.

**O R D E R:**

**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.

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