

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

**Appeal No. 342 of 2023
Date of Decision: 06.09.2023**

Dr. Neeraj Kumar Sharma, Flat No. K-203, Tower-K, Plam
drive, Sector-66, Gurugram-122101 Haryana.

Appellant

Versus

Emaar MGF Land Ltd., Sikandarpur Chowk, Sector-28,
Gurgaon-122002, Haryana.

Respondent

CORAM:

Justice Rajan Gupta	Chairman
Shri Anil Kumar Gupta,	Member (Technical)

Present: Dr. Neeraj Kumar Sharma,
one of the appellants in person.

ORDER:

RAJAN GUPTA, CHAIRMAN (Oral):

The present appeal is directed against the order dated 23.05.2023 passed by the Authority. It appears that earlier the respondent-promoter had preferred an appeal no. 349 of 2020 before this Tribunal. Same was dismissed vide order dated 07.04.2022. It appears that same has attained finality. At this stage, allottee has filed an instant appeal to challenge the same order, which was subject matter of challenge in aforesaid appeal no. 349 of 2020. As per him, he moved three rectification applications under Section 39 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter called 'the Act'), but the same were

dismissed. His primary grievance is that he has been harassed for considerable period and deserves compensation. His attention has been drawn to relevant provisions of the Act for claiming compensation. He submits that he may be allowed to withdraw the present appeal with liberty to move the competent authority under the said provisions. He has made a statement before the Bench today which is taken on record as Mark 'A'.

2. Appeal is dismissed as withdrawn with liberty as aforesaid, if maintainable and permissible in law.

3. File be consigned to the record.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Anil Kumar Gupta
Member (Technical)

06.09.2023
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