

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No. 234 of 2020
Date of Decision: 05.07.2023

Simmi Suri

Raman Suri

Both the residents of House no. 945, Vikas Kunj, Vikas Puri, New Delhi.

Appellants

Versus

M/s SS Group Private Limited, Registered office at 77, SS House, Sector-44, Gurugram, Haryana-122003, through its Managing Director.

Respondent

CORAM:

**Justice Rajan Gupta
Shri Inderjeet Mehta**

**Chairman
Member (Judicial)**

Present: None for the appellant.

Mr. Yashpal Sharma, Advocate
for the respondent.

ORDER:

RAJAN GUPTA, CHAIRMAN:

The present appeal has been filed by the allottees seeking compensation for the delay in delivery of possession to be calculated from the promised date of possession i.e. 27.05.2015, till the delivery of actual possession.

2. On 14.02.2023, this Court passed an order, which reads as under:-

“Learned counsel appearing for respondent company submits that he has instructions to state before this Tribunal that the possession of the flat in question shall be delivered to the appellant within four weeks. He shall file an affidavit to this effect well in time before the next date of hearing.

Prayer is accepted.

Four weeks’ time is granted.

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At this stage, it is clarified that this statement shall be subject to outcome of the appeal and without prejudice to the legitimate rights of the respondent-company. This Tribunal further directs the respondent that the respondent shall also make it clear in the affidavit as to how much amount is due by the appellant. He assures that calculations would be made strictly as per the terms & conditions of the Agreement. Now the case stands adjourned to 21.04.2023 for further appropriate proceedings as well as arguments.”

3. Appellants remained unrepresented on 14.02.2023 & 21.04.2023. Today, also none is present on behalf of the appellant.

4. Learned counsel for the respondent, at the outset, submits that settlement has been arrived at between the parties. He seeks to place on record the copy of the settlement deed. Prayer is accepted. The settlement deed is taken on record as Mark-‘A’. Statement made by the learned counsel for the respondent remains uncontroverted.

5. In view of the above, it appears that no cause of action survives in this appeal. The same is hereby disposed of as such.

6. Copy of this order be communicated to both the parties/counsel for the parties and the Haryana Real Estate Regulatory Authority, Gurugram.

7. File be consigned to the record.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Inderjeet Mehta
Member (Judicial)

05.07. 2023
CL