

**BEFORE THE HARYANA REAL ESTATE APPELLATE  
TRIBUNAL**

---

Appeal No. 247 of 2022  
Date of Decision: 03.10.2023

M/s Oasis Landmarks LLP, registered office at 3<sup>rd</sup> Floor,  
Town B, UM House, Plot NO. 35, Sector-44, Gurugram,  
Haryana-122001.

Appellant

Versus

Vishakha Bisht, H. No. 935, Sector-3, Rohtak-Haryana-  
124001.

Respondent

**CORAM:**

**Justice Rajan Gupta  
Shri Anil Kumar Gupta**

**Chairman  
Member (Technical)**

Present: Ms. Tanika Goyal, Advocate  
for the appellant.

**ORDER:**

**Rajan Gupta, Chairman (Oral):**

Present appeal was registered on 15.03.2022 on the website as Appeal No. 247 of 2022. Physical copy thereof has been filed in the Registry on 22.03.2022.

2. At the time of filing, appellant had deposited an amount of Rs. 57,80,916/- vide Demand Draft No. 504116 dated 30.04.2022 as pre deposit in terms of proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (for short 'the Act'). Entire file has to be processed by the Registry and aforesaid Demand Draft submitted by the appellant-promoter has to be deposited in the bank. Registry raised certain objections. Thereafter, several reminders were

## Appeal No.247 of 2022

sent to the appellant i.e. on 24.03.2022, 28.07.2022 and 31.08.2022 but, neither the appellant nor his counsel has come forward to remove the objections. Appeal thereafter had to be retained in the Registry of this Tribunal for considerable time.

3. We are left with no option but to take the matter on judicial side. Today, learned counsel for the appellant has appeared and made a statement that she has instructions to withdraw the appeal.

4. In view of the above, appeal is, thus, dismissed as withdrawn. As considerable time of this Tribunal is wasted, therefore, costs of Rs. 10,000/- is imposed on the appellant.

5. The amount of Rs. 57,80,916/- deposited by the appellant-promoter in view of proviso to Section 43(5) of the Act., along with interest accrued thereon, be sent to the Ld. Authority for disbursement to the appellant subject to tax liability, if any, as per law and rules. It is made clear costs of Rs. 10,000/- shall be deposited by the appellant with the **Poor Patients' Welfare Fund, PGIMER, Chandigarh**. The Authority shall supervise the remission of costs to the aforesaid account.

6. Copy of this order be sent to appellant/ counsel for the appellant and the Authority at Gurugram.

7. File be consigned to the record.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Anil Kumar Gupta  
Member (Technical)

03.10.2023  
Manoj Rana