

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No. 806 of 2022(O&M)
Date of Decision: 15.12.2023

Prem Prakash Gupta, House No. 441, Sector 14, Gurgaon.

Appellant

Versus

1. SS Group Pvt. Ltd.,
2. Shiva Profins Pvt. Ltd

Plot No. 77, Sector 44, Gurugram-122003., B-4/43, 2nd Floor,
Safdarjung, Enclave, New Delhi-110029.

Respondents.

CORAM:

**Justice Rajan Gupta
Anil Kumar Gupta**

**Chairman
Member (Technical)**

Present: None for the appellant.

Mr. Yashpal Sharma, Advocate,
for the respondent.

ORDER:

Rajan Gupta, Chairman (Oral):

1. Learned counsel for the respondent, at the outset, submits that during the pendency of this appeal, settlement has been arrived at between the parties. He has produced a copy of the settlement agreement dated 04.12.2023 before this Bench. Same is taken on record as Mark-‘A’. Relevant paras thereof read as under:-

“1. That under this settlement it has been specifically agreed that the developer shall pay

Rs.42,73,809/- (Rs. Forty Two Lakh Seventy Three Thousand Eight Hundred Nine only) as lump sum against full & final settlement of all claims against the Second Party. The Second Party has handed over a cheque bearing no. 833994 dated 04.12.2023 for 42,73,809/- (Rs. Forty Two Lakh Seventy Three Thousand Eight Hundred Nine only) simultaneous to the signing of this agreement.

2. That in consideration of the above, the Allottee(s) agreed to waive/forego all their present, past & future claims (if any) towards interest awarded by RERA Gurugram which is subject matter of appeal no. 806 of 2022.

3. The First Party undertake and confirm that they have not created any third party rights in the said unit by raising any loan and/or mortgage the same and shall return all the original receipts, BBA, Allotments letters on signing of this agreement. The First Party shall withdraw the appeal on or before next date of hearing i.e. 15.12.2023.”

2. A perusal of the “Settlement Agreement” shows that it bears signatures of the Authorized Representative of the respondent-promoter (SS Group Ltd.) and the allottee (Prem Prakash Gupta) as well.

3. Appellant remains unrepresented.

4. In view of the above, it appears that no lis survives in this appeal and the same needs to be disposed of in terms of the settlement.

5. Ordered accordingly.

6. Copy of this order be communicated to both the parties/learned 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

Anil Kumar Gupta
Member (Technical)

15.12.2023
Manoj Rana