

Varali Properties Limited vs. Anil Sodhani
Appeal No. 201 of 2019

Present: Ms. Daisy Sharma, Advocate, Id. Counsel for the appellant.
Shri Mudit Gupta, Advocate, Id. Counsel for the respondent.

Vide our order dated 02.09.2019 the appellant was directed to deposit the requisite amount by 25.09.2019 in order to comply with the provisions of proviso to section 43(5) of the Real Estate (Regulatory & Development) Act, 2016 (hereinafter called 'the Act'). As per the report of the office, the requisite amount has not been deposited. This fact has also not been disputed at bar by the learned counsel for the appellant.

As per the proviso to section 43(5) of the Act, the deposit of whole of the amount payable to the allottee as imposed by the learned Haryana Real Estate Regulatory Authority, Gurugram (hereinafter called 'the Authority'), is a condition precedent to entertain the appeal. But the appellant has not complied with this mandatory requirement of the Act. So, the present appeal cannot be entertained and the same is hereby dismissed.

30% of the amount already deposited by the appellant/promoter be transmitted to the learned Real Estate Regulatory Authority, Gurugram for disbursement to the respondent/allottee as per law.

File be consigned to records.

Justice Darshan Singh (Retd.)
Chairman,
Haryana Real Estate Appellate Tribunal,
Chandigarh
30.09.2019

Inderjeet Mehta
Member (Judicial)
30.09.2019

Anil Kumar Gupta

Member (Technical)
30.09.2019