

**BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL**

**Date of Decision: 28.02.2024  
Appeal No.819 of 2022**

1. BPTP Ltd. office registered at OT-14, 3<sup>rd</sup> Floor, Next Door, Parklands Sector-76, Faridabad.
2. Countrywide Promoters Pvt. Ltd. registered at M-11, Middle Circle, Connaught Circus, New Delhi-110001.

Appellants

Versus

Savita Singh resident of M1-308, Gulmohar Enclave, Rakesh Marg, Nehru Nagar 3<sup>rd</sup>, Gahziabad, Uttar Pradesh 201001

Respondent

**CORAM:**

**Justice Rajan Gupta  
Shri Anil Kumar Gupta**

**Chairman  
Member (Technical)**

Present: Mr. Hemant Saini, Advocate  
for the appellants.

**ORDER:**

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

In the instant appeal, certain objections have been raised by the Registry. Even pre-deposit in terms of proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 has not been made. The appeal, thus, cannot be entertained. However, Mr. Saini submits that he may be allowed to withdraw this appeal.

2. In view of above and prayer made by Mr. Saini, appeal is dismissed as withdrawn.

3. In case, any part pre-deposit has been made by the appellant, same would be remitted to the Authority along with interest accrued thereon. In case, the decree has not been satisfied till now, pre-deposit remitted to the Authority shall form part of the amount of the decree and shall be disbursed accordingly.

4. Needless to observe that in case decree has been fully satisfied, appellant shall be entitled to move appropriate application for withdrawal of the said amount.

5. Copy of this order be forwarded to parties/their counsel and the learned Authority below.

6. Files be consigned to the record.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Anil Kumar Gupta  
Member (Technical)

28.02.2024  
Manoj Rana