

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No.380 of 2023 (O&M)

Date of Decision: 10.07.2024

Emaar India Limited (formerly known as Emaar MGF Land Limited), 306-308, 3rd floor, Square One, C-2, District Centre, Saket, New Delhi-110017

Also at Emaar Business Park, MG Road, Sikanderpur, Sector-28, Gurugram-122002, Haryana, through its authorised representative Manish Mahajan son of Sh.Anil Kumar.

Appellant/Promoter

Versus

1. Syama Kumari
2. Sanjeet Kumar

Both residents of Flat No.706, Sankrit Apartments, Sector-43, Sushant Lok, Gurugram, Haryana-122002.

Respondent/allottees

CORAM:

Justice Rajan Gupta Chairman

Present: Mr. Kunal Dawar, Advocate, along with
Ms. Tanika Goyal, Advocate,
Ms. Ankita Chaudhary, Advocate,
for the appellant.

Mr. Amrinder Singh, Advocate
for the respondents.

ORDER:

RAJAN GUPTA, CHAIRMAN (ORAL):

At the outset, Ms. Tanika Goyal, learned counsel for the appellant submits that she has instructions to withdraw this appeal as no *lis* survives in the same. As per her, Recovery Certificate (RC) was issued meanwhile by the Executing Court, pursuant to which appellant-promoter had deposited a sum of Rs.38,87,484/- before the

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Tehsildar, Manesar in lieu of Delay Possession Charges (DPC). Thus, the prayer made by the appellant in the appeal has been rendered redundant.

2. She prays that she may be allowed to withdraw the appeal and the pre-deposit submitted at the time of filing the appeal by the appellant-promoter may be refunded to it along with interest accrued thereon.

3. Appeal is, thus, dismissed as withdrawn.

4. If the amount (Rs.35,21,341/-) submitted herein has been remitted to the Bank, same be sent to the Authority for disbursement to the appellant-promoter along with interest accrued thereon subject to tax liability, if any as per law.

5. Report be submitted by the Registry after conducting the aforesaid exercise.

6. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

10.07.2024
CL