BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No.180 of 2023 Date of Decision:18.04.2024

Arvind Chadha resident of IVORY-123, First Floor, Emeraid Hills, Golf Course, Extension Road, Sector 65, Gurugram, Haryana-122001.

Appellant

Versus

M/s Vatika, Registered office at Vatika Triangle, 4th Floor, SushantLok-I, Block-A, Mehrauli, Gurugram Road, Gurugram.

Respondent

CORAM:

Justice Rajan Gupta Chairman

Present: Ms. Deepali Verma, Advocate,

for the appellant.

Mr. Yashvir Singh Balhara, Advocate,

for the respondent.

ORDER:

Rajan Gupta, Chairman (Oral):

Present appeal is directed against the order dated 24.08.2022 passed by the Authority at Gurugram. Operative part thereof reads as under:-

"The respondent is directed to refund the amount of Rs. 41,65,988/- after deducting 10% of the basic sale consideration of Rs.87,33,010/- of the unit being earnest money as per regulation Haryana Real Estate Rgulatory Authority, Gurugram (Forfeiture of earnest money by the builder) Regulations, 2018 within 90 days from the date of this order along with an interest @ 9.80% p.a. on the refundable amount, from the date of surrender till the date of realization of payment."

2. Notice of the appeal was issued vide order dated 05.07.2023. Mr. Yashvir Singh Balhara, Advocate, put in

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appearance on the next date of hearing i.e.16.08.2023 and sought time to address arguments.

- 3. Today, when the case has been taken up for hearing, Mr. Balhara submits that matter has been settled between the parties. He has produced a settlement agreement. Same is taken on record as Mark-'A'.
- 4. Learned counsel appearing for the appellant does not dispute the factum of the settlement and the terms and conditions incorporated in the agreement.
- 5. In view of above, Ms. Verma prays that she may be allowed to withdraw this appeal.
- 6. Prayer is accepted. Appeal is dismissed as withdrawn.
- 7. File be consigned to the records.

Justice Rajan Gupta Chairman Haryana Real Estate Appellate Tribunal

16.04.2024 Manoj Rana