

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No.115 of 2024 (O&M)

Date of Decision:01.05.2024

Emaar India Ltd. Registered Office: 306-308, Squareone,
C 2, District Centre, Saket, New Delhi-110017

Second Address: Emaar Business Park, MG Road,
Sikanderpur, Sector 28, Gurugram-122002.

Appellant/Promoter

Versus

1. Surender Malik;
2. Dimple Malik, both R/o S-15/10, DLF Phase-3,
Gurugram (Haryana)

Respondent/allottees

CORAM:

Justice Rajan Gupta

Chairman

Present:

Ms. Tanika Goyal, Advocate
for the appellant.

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.47,86,386/- before the 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 part pre-deposit submitted at the time of

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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 Appeal is, thus, dismissed as withdrawn.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. 29,77,877/-) 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

01.05.2024
Manoj Rana