

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No.14 of 2021
Date of Decision: 22.08.2024

Jaswant Kaur since deceased and through hLRs

1. Paramjit Singh (Son)
2. Harmohan Kaur (Daughter)
3. Harjeet Kaur (Daughter)
4. Amarjeet kaur (Daughter)
5. Sangeeta (Daughter)

All are residents of WZ-619, Shiv Nagar Extension, Jail Road, New Delhi-110058.

..Appellants.

Versus

M3M India Pvt. Ltd., Registered office at Unit No.SB/C/5L/office/008,
M3M Urbana, Sector-67, Gurugram-122102.

..Respondent/Promoter

CORAM:

Justice Rajan Gupta Chairman

Present: Mr. Amandeep Singh Nirmaan, Advocate,
for the appellants.

Mr. Viresh Dahiya, Advocate
for the respondent.

ORDER:

Rajan Gupta, Chairman (Oral):

Present appeal is directed against the order dated 12.12.2019 passed by the learned Authority. Operative part whereof reads as under:

“8. Decision and Directions of the Authority:

In view of the above discussion the authority pass an order under Section 34 (f) of the Act, and issue the following directions:

a) The respondents/allottees shall make the requisite payments and take the possession of the subject apartment as per the provisions of Section 19(6), (7) and (10) of the Act, within a period of 30 days,

b) *The complainants/promoter shall pay the delayed possession charges (DPC) with effect from 25.07.2016 to 28.04.2017 at the prescribed rate of interest of 10.20 % per annum to the respondents and shall adjust the said amount towards the final amount to be paid by the respondents.*

c) *The respondents/allottees shall be charged interest at the prescribed rate of interest that is at the rate 10.20 % per annum by the complainants/promoters.”*

2. Today, when the case was taken up for hearing, learned counsel for the appellant has informed this Bench that there has been a settlement between the parties.

3. Learned counsel appearing for respondent-promoter does not controvert the aforesaid statement.

4. In support of the statement, affidavit of legal heirs of Jaswant Kaur has been filed. Same is taken on record as Mark-‘A’. As per affidavit, Mr. Paramjit Singh son of Jaswant Kaur (who was the original allottee as well) is in possession of the unit in question. Respondent-Promoter has already placed on record Memorandum of Understanding (MOU), which is taken on record as Mark-‘B’.

5. In view of above, learned counsel for the appellant submits that no *lis* survives in this appeal and he may be allowed to withdraw the same.

6 Appeal is, thus, dismissed as withdrawn.

7. File be consigned to the record.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

22.08.2024
rajesh