

**BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL**

**Appeal No. 666 of 2023**  
**Date of Decision: 16.10.2024**

M/s Shine Buildcon Private Limited through Authorised Representative Sh. Deepak Verma, R/o H-334, Ground Floor, New Rajinder Nagar, New Delhi.

Appellant/Promoter

Versus

Poonam Sachdeva R/o H-121, Spaze Privy, Sector 72, Gurugram, Haryana.

Respondent/allottee

**CORAM:**

Justice Rajan Gupta

Chairman

Present: Mr. Akshat Mittal, Advocate,  
for the appellant.

Mr. Ravinder Chaudhary, Advocate  
for the respondent.

**ORDER**

**RAJAN GUPTA, CHAIRMAN (ORAL):**

Present appeal is directed against the order<sup>1</sup> passed by the HRERA<sup>2</sup>, Gurugram whereby the appellant-promoter was directed to handover the possession of the unit along with delay possession charges to the respondent-allottee.

2. Aggrieved, the appellant-promoter preferred instant appeal before this Tribunal.

3. During the course of hearing, parties expressed their willingness to explore the possibility of amicable settlement.

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<sup>1</sup> order dated 17.08.2023

<sup>2</sup> Haryana Real Estate Regulatory Authority, Gurugram

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4. Matter came up for hearing on 15.07.2024, when the following order was passed in this case:-

*“On the last date of hearing, the following order was passed in this case:*

*“Mr. Ashish Budhiraja, Advocate has put in appearance on behalf of the respondent and filed his Power of Attorney. He submits that respondent-allottee is ready to take possession as Occupation Certificate has already been granted to the appellant-promoter. Respondent-allottee is also ready to remit the outstanding amount.*

*Mr. Mittal submits that a communication shall be sent to the allottee in light of aforesaid contentions.*

*This Tribunal shall be apprised of progress, if any, on the next date of hearing.*

*List on 15.07.2024.”*

*Mr. Mittal submits that a meeting shall be held with the allottee and Authorised Representative of the promoter at the earliest in any case not later than ten days in light of above. This Tribunal shall be apprised of the further progress, if any, on the next date of hearing.*

*On his request, the case is adjourned to 16.10.2024.”*

5. Today, at the outset, Mr. Mittal submits that matter has been amicably settled between the parties. He has produced a copy of settlement agreement dated 10.10.2024, which is taken on record as Mark ‘A’.

6. Mr. Ravinder Chaudhary, Advocate, learned counsel for the respondent does not controvert the aforesaid statement made by Mr. Mittal.

7. Parties have made their respective statements, which are taken on record as Mark ‘B’ and Mark ‘C’.

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8. In view of above, Mr. Mittal prays that he may be allowed to withdraw the instant appeal.

9. This prayer is accepted. Appeal is dismissed as withdrawn.

10. As the matter has been disposed of on the basis of settlement arrived at between the parties, the amount of Rs.7,64,574/- deposited by the appellant/promoter with this Tribunal as pre-deposit in terms of proviso to Section 43(5) of the RERA Act<sup>3</sup>, along with interest accrued thereon be remitted to the learned Authority for disbursement to the appellant/promoter, subject to tax liability, if any, according to law.

11. File be consigned to the records.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

16.10.2024  
Manoj Rana

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<sup>3</sup> Real Estate (Regulation and Development) Act, 2016