

**BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL**

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Appeal No. 113 of 2024  
Date of Decision: 30.09.2024

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

Second address Emaar Business Park, MG Road, Sikanderpur, Sector-28, Gurugram-122002, Haryana,

Appellant/Promoter

Versus

1. Arun Kumar Singh;
2. Tripti Singh.

Both residents of Flat No. 703, Tower 31, Commonwealth Games,  
Near Akshardham Temple, Delhi-110092.

Respondents

**CORAM:**

**Justice Rajan Gupta**  
**Shri Rakesh Manocha**

**Chairman**  
**Member (Technical)**

Present: Mr. Kunal Dawar, Advocate, along with  
Mr. Mayank Aggarwal, Advocate,  
for the appellant.

**ORDER:**

**Rajan Gupta, Chairman (Oral):**

Learned counsel for the appellant, at the outset, submits that he has instructions to withdraw this appeal in view of the settlement arrived at between the parties. He seeks to place on record a copy of the settlement deed. Same is taken on record. Even otherwise, appeal cannot be entertained as registry has raised certain objections. It appears that appellant has not made complete pre-deposit in terms of proviso to Section 43(5) of the RERA Act.

2. In view of above, Mr. Dawar prays that he may be allowed to withdraw the present appeal. He further submits that the amount deposited by the appellant-company at the time of filing of this appeal, which is deficit in nature, may be remitted to it along with interest.

3. Appeal is hereby dismissed as withdrawn.
4. The amount of Rs.38,06,700/-, though deficit in nature, cannot be retained by this Tribunal. It is, thus, directed that the same be remitted to the Authority below for disbursement to the appellant-promoter, subject to tax liability, if any, as per law.
5. File be consigned to the records.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Rakesh Manocha  
Member (Technical)

30.09.2024  
Manoj Rana