

**BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL**

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**Appeal No.256 of 2024  
Dated 09.12.2024**

Biman Kumar Bhattacharyya resident of House No.1034, Flat 1B,  
Sector 10A, Gurugram

Appellant

Versus

1. Pyramid Infratech Pvt. Ltd. registered office at Unit No.501-508 (5<sup>th</sup> Floor) Unitech Trade Centre, Sector 43, Gurugram 122002
2. State Bank of India registered office at Plot No.79, Institutional Area, Sector 18, Gurugram 122015

Respondents

**CORAM:**

**Justice Rajan Gupta  
Mr. Rakesh Kumar Manocha**

**Chairman  
Member (Technical)**

Present: Mr. Ashwani Kumar Singla, Advocate,  
for the appellant.

Mr. Ashim Aggarwal, Advocate,  
for respondent No.1.

None for respondent No.2.

**ORDER:**

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

Present appeal is directed against order dated 07.03.2023 passed by the Authority<sup>1</sup> at Gurugram. Operative part thereof reads as under:

*“i. The respondent/promoter is directed to refund the paid-up amount of Rs.990,128/- after deduction of Rs.25,000/- if not already done as per clause 5(iii)(i) of the Act affordable Housing Policy 2013 along with prescribed rate of interest i.e. @ 10.70% per annum from the date of cancellation till the actual realization of the amount.*

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<sup>1</sup> Haryana Real Estate Regulatory Authority, Gurugram

*ii. Out of total amount so assessed, the amount paid by the bank/payee be refunded in the account of bank and the balance amount along with interest if any would be refunded to the complainant.*

*iii. A period of 90 days is given to the respondent/builder to comply with the direction given in this order and failing which legal consequences would follow.”*

2. At the outset, Mr. Singla submits that there has been settlement between the parties. The unit in question has been restored to the appellant on the basis of compromise. He has instructions to withdraw the appeal. He seeks to place on record a written communication of the appellant, namely, Biman Kumar Bhattacharya in this regard. Same is counter-signed by Mr. Singla, learned counsel for the appellant. He has identified the signature of the appellant-Biman Kumar Bhattacharya. Communication is taken on record as Mark-‘A’. He further submits that he has also instructions to state that the pending amount of Rs.8 lakhs odd shall be remitted to the respondent within a fortnight.

3. Mr. Aggarwal has no objection to the prayer for withdrawal of the appeal.

4. In view of above, the appeal is hereby dismissed as withdrawn.

5. File be consigned to the record.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Rakesh Manocha  
Member (Technical)

09.12.2024  
Manoj Rana

