

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

**Appeal No.44 of 2024
Date of Decision: 31.01.2025**

Kusum Dungalay wife of late Shri K.S. Dungalay, resident of F-10/8,
Ground Floor, Vasant Vihar, New Delhi-110057.

Appellant

Versus

M/s Ninaniya Estates Limited, registered office at 160, Karni
Vihar, Ajmer Road, Near Rawat Mahila College, Jaipur-302021,
Rajasthan.

Respondent

CORAM:

**Justice Rajan Gupta
Shri Rakesh Manocha**

**Chairman
Member (Technical)**

Present : Ms.Vertika H. Singh, Advocate,
for the appellant.

Mr. Yashvir Singh Balhara, Advocate,
for the respondent.

ORDER:

RAJAN GUPTA, CHAIRMAN (ORAL):

Present appeal is directed against order dated
17.05.2023 passed by the Authority¹ whereby respondent-
promoter was directed to refund the amount remitted by the
appellant-allottee along with interest.

2. Notice of the appeal was issued by this Tribunal vide
order dated 31.05.2024. During the proceedings, the parties
expressed their willingness to explore the possibility of amicable
settlement.

¹ Haryana Real Estate Regulatory Authority, Gurugram

3. Today, when the case was taken up for hearing, learned counsel for the parties submit that a settlement has been arrived at between the parties.

4. Mr. Balhara submits that a cheque bearing no. 062565 dated 15.03.2025 amounting to Rs.40,00,000/- has been handed over to the appellant-allottee (Kusum Dungalay) in lieu of full and final settlement of all her claims. Photocopy thereof has been produced. Same is taken on record as Mark -'A'.

5. Both the parties have made their respective statements. Same are taken on record as Mark-'B' & Mark-'C'.

6. In view of above, no *lis* survives in this appeal.

7. Ms. Vertika H. Singh submits that she may be allowed to withdraw the appeal with liberty to seek appropriate remedy in case terms of the agreements are not fulfilled.

8. Dismissed as withdrawn with liberty aforesaid.

9. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)
Joined through VC

31.01.2025
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