

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No.647 of 2021 (O&M)
Date of Decision: 01.03.2025

M/s Vatika Limited registered office at unit A002, Ground Floor, Block A, Vatika INXT City Centre, Sector 83, Vatika India Next Gurugram, Haryana.

Appellant

Versus

Vinod Aggarwal resident of E-301, Gauri Sadan, 5, Hailey Road, NDMC, New Delhi-110001.

Respondent

CORAM:

Justice Rajan Gupta
Shri Rakesh Manocha

Chairman
Member (Technical)

Present: Mr. Mehtab Singh Bhatti, Advocate,
for the appellant

Mr. Abhijit Gupta, Advocate, along with
Mr. Vinod Aggarwal-respondent,
(joined through VC).

O R D E R:

RAJAN GUPTA, CHAIRMAN (ORAL):

This is an application (CM No. 252 of 2025) for withdrawal of the appeal in light of settlement agreement dated 25.10.2024 entered between the parties.

2. Mr. Mehtab Singh Bhatti, Advocate for the appellant states that an amount of Rs. 55 lacs odd have been refunded to the respondent-allottee namely Vinod Aggarwal by way of four cheques (cheque nos. 00497 amounting to Rs. 5,00,000/-, 004198 amounting to Rs.8,50,000/-, 004200 amounting to Rs.20,00,000/- and 004199 amounting to Rs.20,00,000/-). Copies of aforesaid cheques are annexed with the settlement agreement. He submits

that in lieu of full and final settlement, pre-deposit amount made at the time of filing of this appeal may be refunded to the appellant-company along with interest accrued thereon.

3. Mr. Vinod Aggarwal-respondent does not controvert this statement. He is identified by Mr. Abhijit Gupta, Advocate.

4. Mr. Abhijit Gupta makes a statement on similar lines. He submits that four cheques referred to above have been encashed by the respondent. He further states that he has no objection, if the amount of pre-deposit made by the appellant at the time of filing of this appeal, is refunded to it as his claims have been fully satisfied.

5. In view of above, no *lis* survives in this appeal. Mr. Bhatti submits that he may be allowed to withdraw the appeal. CM No. 252 of 2025 seeking withdrawal of the appeal is hereby allowed.

6. Appeal is dismissed as withdrawn.

7. As the matter has been disposed of on the basis of settlement arrived at between the parties, the amount of Rs.58,54,807/- deposited by the appellant-promoter with this Tribunal as pre-deposit in terms of proviso to Section 43(5) of the RERA Act along with interest accrued thereon be remitted to the learned Authority for disbursement to the appellant-promoter subject to tax liability, if any, as per law.

8. File be consigned to the record.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)

01.03.2025
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