

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

**Appeal No.510 of 2024 (O&M)
Date of Decision: January 28th, 2025**

Forever Buildtech Pvt. Ltd. Regd. Office: 2nd floor. Tower-A,
Signature Tower, South City-1, Gurugram Haryana 122001

..Appellant

Versus

Vinesh Sehgal resident of A-98, GF, Sushant LokII, Sector 55,
Gurugram, 122002

...Respondent

**CORAM: Justice Rajan Gupta Chairman
Shri Rakesh Manocha Member (Technical)**

Present: Mr. Kamal Jeet Dahiya, Advocate,
for the appellant.

Mr. Anish Verma, Advocate, along with
Mr. Mintu Kumar, Authorised Representative
for the respondent.

:O R D E R:

RAJAN GUPTA, CHAIRMAN (ORAL)

Present appeal is directed against order dated
02.11.2023 passed by the Authority¹ at Gurugram. Operative part
thereof reads as under:

- i. The respondent is directed to pay interest to the complainant against the paid-up amount at the prescribed rate i.e., 10.75% per annum for every month of delay on the amount paid by the complainant from due date of possession i.e., 18.11.2021 till 14.07.2022 i.e., expiry of 2 months from the date of offer of possession (14.05.2022). The arrears of interest accrued so far shall be paid to the complainant within 90 days from the date of this order as per rule 16(2) of the rules.*
- ii. The rate of interest chargeable from the allottee by the promoter, in case of default shall be charged at the prescribed rate i.e., 10.75% by the respondent/promoter which is the same rate of*

¹ Haryana Real Estate Regulatory Authority, Gurugram

interest which the promoter shall be liable to pay the allottee. In case of default i.e., the delayed possession charges as per section 2(za) of the Act. The benefit of grace period on account of Covid-19, shall be applicable to both the parties in the manner detailed herein above.

2. Mr. Dahiya, at the outset, submits that the matter has been settled between the parties. He has produced a settlement deed. Same is taken on record as Mark-‘A’.

3. Mr. Anish Verma, Advocate, learned counsel for the respondent does not controvert the aforesaid statement made by Mr. Dahiya.

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

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

6. Mr. Dahiya prays that he may be allowed to withdraw the instant appeal.

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 Appeal is dismissed as withdrawn.

8. As the matter has been disposed of on the basis of settlement arrived at between the parties, the amount of Rs.1,77,257/- deposited by the appellant-promoter with this Tribunal as pre-deposit in terms of proviso to Section 43(5) of the RERA Act², along with interest accrued thereon be remitted to the Authority for disbursement to the appellant-promoter, subject to tax liability, if any, according to law.

9. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)
(joined through VC)

28.01.2025/Manoj Rana

² Real Estate (Regulation and Development) Act, 2016