

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No.957 of 2024 (O&M)

Date of Decision: 07.05.2025

Apex Buildwell Pvt. Ltd. registered office at 14A/36, WEA Karol Bagh, New Delhi 110 005.

Appellant/Promoter

Versus

Punam Yadav resident of House No.205, Sector 5, Part-6, Gurugram Haryana 122001

Respondent/allottee

CORAM:

Justice Rajan Gupta

Chairman

Present: Mr. Yashvir Singh Balhara, Advocate along with
Mr. Harshit Batra, Advocate,
for the appellant.

ORDER:

Rajan Gupta, Chairman (Oral):

CM No.805 of 2025

This is an application for early hearing of the appeal filed by the appellant. As the main appeal has been listed for hearing, therefore, the prayer for early listing of the appeal is rendered infructuous.

2. Appellant in the said application has also made a prayer for withdrawal of the appeal on the plea that the matter has been settled between the parties. Application is supported by affidavit of Mr. Pankaj Sharma, Authorised representative of the appellant-company. Settlement deed is annexed along with the application. Pre-deposit being deficit in nature, even otherwise the appeal cannot be entertained by this Tribunal.

3. Thus, there can be no hesitation in allowing the plea for withdrawal of the appeal. Consequently, appeal is hereby dismissed as withdrawn.

4. As the appellant claims that the matter has been settled between the parties, the amount cannot be retained by the Tribunal. The same is hereby remitted to the concerned Authority to be disbursed to the appellant-promoter, after due verification as regards the factum of settlement, on appearance of the parties or their authorised representative(s) before the Secretary, HRERA, Gurugram. Needless to observe tax liability, if any, would apply.

5. File be consigned to the records

Justice Rajan Gupta
Chairman

Haryana Real Estate Appellate Tribunal

07.05.2025
Manoj Rana