

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

**Appeal No.43 of 2025 (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

Atmaram Yadav resident of House No.203, 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.806 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. In this appeal, pre-deposit in terms of proviso to Section 43(5) of the RERA Act has not been made by the appellant, therefore, 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 Consequently, appeal is hereby dismissed as withdrawn.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. File be consigned to the records

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

07.05.2025
Manoj Rana