

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

**Appeal No.620 of 2023 (O&M)
Date of Decision: 09.04.2025**

M/s Pivotal Infrastructure Private Limited registered office at 309, 3rd Floor, JMD Pacific Square, Sector-15, Part-II, Gurugram, Haryana 122001.

Appellant

Versus

Ashima Hans resident of Flat No.P3/33C, SRS Pearl Floor, Sector 87, Faridabad Haryana 121002

Respondents

CORAM:

Justice Rajan Gupta	Chairman
Shri Rakesh Manocha	Member (Technical)

Present:

Mr. Yaseen Sethi, Advocate
for the appellant.

Ms. Ashima Hans respondent in person along with
Mr. Rajan Kumar Hans, Advocate.

O R D E R:

RAJAN GUPTA, CHAIRMAN (ORAL) :

At the out-set, learned counsel for the parties submit that a settlement has been arrived at between the parties, terms whereof are incorporated in the settlement deed. Copy thereof has been produced. Same is taken on record as Mark-‘A’.

2. Learned counsel for the appellant-promoter submits that he has instructions from the appellant-company (M/s Pivotal Infrastructure Pvt. Ltd.) to withdraw this appeal as no *lis* survives in this appeal. However, pre-deposit amount may be returned to the appellant-promoter in view of the settlement.

Appeal No.620 of 2023

3. Learned counsel for the respondent-allottee does not controvert the aforesaid statement. He, on instructions from Ms. Ashima Hans-respondent, who is present in Court, submits that the respondent-allottee is fully satisfied with the terms of the agreement. He further submits that he has no objection if the amount of pre-deposit be returned to the appellant-promoter. In this regard, Mr. Yaseen Sethi, Advocate, counsel for the appellant and Ms. Ashima Hans (respondent-allottee) have recorded their respective statements, same are taken on record as Mark 'B' and 'C'.

4. In view of above, appeal is hereby dismissed as withdrawn.

5. As the matter has been disposed of on the basis of settlement arrived at between the parties, the amount deposited by the appellant-promoter with this Tribunal as pre-deposit in terms of proviso to Section 43(5) of the RERA Act¹ along with interest accrued thereon be remitted to the concerned Authority for disbursement to the appellant-promoter, subject to tax liability, according to law.

6. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)
(joined through VC)

09.04.2025
Manoj Rana

¹ Real Estate (Regulation and Development) Act, 2016