

**BEFORE THE HARYANA REAL ESTATE APPELLATE  
TRIBUNAL**

**Appeal No.669 of 2023 (O&M)**

**Date of Decision: 09.04.2025**

M/s Experion Developers Pvt. Ltd. registered office at Eighth Floor, B-Wing, Milestone Experion Centre, Sector 15, Part-II, Gurugaon, Haryana-122001.

Appellant

Versus

Sidharth Kataria, Registered office at 1609B, Beverly Park 2, DLF City 2, MG Road, Gurugrma, Haryana-122002.

Respondents

**CORAM:**

Justice Rajan Gupta      Chairman  
Shri Rakesh Manocha    Member (Technical)

**Present:**

Mr. Vikas Aggarwal, Advocate along with  
Mr. Sanjeet K. Thakur, AR,  
Ms. Puja Tiwari, AR,  
for the appellant.

Mr. Jageep Kumar, Advocate.  
for the respondent.

**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 Experion Developer 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.

3.            Learned counsel for the respondent-allottee does not controvert the aforesaid statement. He states that the parties have

decided to abide by the terms of the settlement agreement. As per him, he himself is a witness of the settlement agreement. He further submits that he has no objection if the amount of pre-deposit be returned to the appellant-promoter. Learned counsel for the parties have made 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 In view of above, appeal is hereby dismissed as withdrawn.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 Act along with interest accrued thereon needs to be remitted to the concerned Authority. Same be disbursed to the appellant-promoter after due verification on appearance of the appellant-promoter and the allottee before the Secretary, HRERA, Gurugram. This exercise be conducted under the supervision of Chairman of the Authority. This order is being passed in peculiar facts and circumstances of the case as amount to be remitted to the appellant would be more than one crore, however, parties claim that the matter has been settled at a lump sum amount of Rs.25 lacs.

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  
*Rajni*