

**BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL**

**Appeal No.380 of 2024**

**Date of Decision:09.07.2025**

M/s. Sunrays Height Pvt. Ltd. through its authorized representative Sh. Lalit Kumar, Regd. Office 211, 2<sup>nd</sup> Floor, Ansal Bhavan, 16, Kasturba Gandhi Marg, New Delhi-110 001.

Appellant

Versus

Sunita Malhotra, House No. 374, Sector 14, Sonipat, Haryana – 131 001.

Respondent

**CORAM:**

**Justice Rajan Gupta  
Shri Rakesh Manocha**

**Chairman  
Member (Technical)**

Present: None for the appellant

**O R D E R:**

**RAJAN GUPTA, CHAIRMAN (ORAL):**

Present appeal is directed against the order dated 30.11.2023 passed by the Authority<sup>1</sup>.

2. As per report from the Registry, in the instant appeal, pre-deposit of Rs.7,83,316/- in terms of proviso to Section 43(5) of the RERA Act<sup>2</sup> is payable by the appellant-promoter, out of which, the appellant-promoter has deposited an amount of Rs. 1,27,351/-. Same is deficit in nature. However, no steps have been taken by the appellant-promoter to make good the deficiency in pre-deposit despite several opportunities granted by this Bench.

3. In view of above, appeal cannot be entertained in the absence of pre-deposit and as per judgment passed by Hon'ble Supreme Court in *M/s. Newtech Promoters and Developers Pvt. Ltd. vs. State of UP & Others etc.*, 2021 SCC Online SC 1044.

4. Besides, appellant remains unrepresented today.

---

<sup>1</sup> Haryana Real Estate Regulatory Authority, Gurugram

<sup>2</sup> Real Estate (Regulation & Development) Act, 2016

5. Dismissed for want of prosecution.
6. The pre-deposit made by the appellant-promoter in terms of aforesaid proviso with this appeal, which is deficit in nature, need not to retain by this Tribunal. Same is hereby remitted to the Authority for disbursement to the appellant-promoter according to law. Needless to observe tax liability, if any, would apply.
7. File be consigned to records.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

Rakesh Manocha  
Member (Technical)  
*(joined through VC)*

09.07.2025  
dg