

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No.569 of 2022

Date of Decision: July 08,2025

Venetian LDF Projects LLP, registered office at 83,
Avenue Sihi Village, Sec 83, Vatika Next, Manesar,
Gurgaon HR 122004 IN.

Appellant.

Versus

1. Shuchi Sur;
2. Ashok Sur Both R/o Northern Refrigeration Company,
32, Hazratganj, Lucknow-226001, U.P.

Respondents

Present: Mr. Yashvir Singh Balhara, Advocate
for the appellant.

Mr. Arun Sharma, Advocate
for the respondents.

CORAM:

Justice Rajan Gupta
Rakesh Manocha

Chairman
Member (Technical)

O R D E R:

RAJAN GUPTA, CHAIRMAN:

Present appeal is directed against order dated 17.05.2022 passed by the Authority. During the course of hearing of the appeal, it was submitted by learned counsel representing the parties that deliberations have been held between them and there was possibility of amicable settlement.

2. Today, this Bench has been informed that the matter has been settled between the parties and settlement agreement dated 07.04.2025 has been drawn up. Mr. Balhara seeks to place on record copy thereof.

3. This prayer is accepted.

4. A perusal of the agreement shows that it bears signatures of both the parties and two witnesses. Mr. Balhara submits that in view of the agreement, post-dated cheques have been issued to the allottee(s) in lieu of the agreed amount as full and final settlement of all their claims in place of delay compensation. As per him, two cheques which were due for encashment in April have already been encashed by the allottee(s). Rest are due for encashment on 07.10.2025. Copy of the settlement deed and the photocopies of the cheques are taken on record as Mark –‘A’ & ‘B’ respectively.

5. Learned counsel for the appellant prays that in view of settlement, he may be allowed to withdraw the appeal. However, the amount deposited as pre-deposit along with interest accrued thereon be refunded to the appellant.

6. Prayer is accepted.

7. Appeal is dismissed as withdrawn.

8. As the appellant claims that the matter has been settled between the parties, pre-deposit amount be retained in the Bank till 07.10.2025 when last payment is due to the allottee(s). Same may be remitted to the Authority thereafter along with interest accrued thereon to be disbursed to the appellant-promoter. Needless to observe tax liability, if any, would apply.

9. In case, there is any change in circumstances, before the above mentioned date, the parties shall be at liberty to move an application for revival of the appeal.

10. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)