

Emaar India Ltd.
Vs.
Shivam Gupta
CM No.1378 of 2025
In Appeal No. 250 of 2022

Present: Mr. Kunal Dawar, Advocate, along with
Ms. Tanika Goyal, Advocate,
Ms. Ankita Chaudhary, Advocate,
for the applicant-appellant.

CM NO.1378 OF 2025

This is an application for review/modification of order dated 02.06.2025 passed by this Tribunal. As per counsel, there is an error in the order insofar as direction has been given to remit the entire amount of pre-deposit to the allottee.

We are not convinced with this plea. The order was passed after affording detailed opportunity of hearing to both the parties. The direction contained in Para 10 to disburse the amount to the allottee is on the basis of reasons contained in the foregoing paras of the impugned order. Same is in consonance with the law laid down in *M/s. Newtech Promoters and Developers Pvt. Ltd., Vs. State of UP & Others etc. 2021 SCC online SC 1044* that interest of the allottees has to be secured.

Application is hereby dismissed.

File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)

05.08.2025
Manoj Rana