

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No.293 of 2024
Date of Decision: 23.05.2025

Manoj Kumar R/o 696, Pana-Gara, VPO-Barahi (40) Jhajjar-Haryana.

--Appellant

Versus

Omaxe Limited Registered office #7 Local Shopping Centre,
Kalka Ji, New Delhi-110019.

--Respondent

CORAM:

Justice Rajan Gupta
Rakesh Manocha

Chairman
Member (Technical)

Present: Ms. Khushboo Arora, Advocate,
for the appellant.

Mr. Ankit Kumar, Advocate,
for the respondent.

O R D E R:

Rajan Gupta, Chairman (Oral):

On the last date of hearing, the following order
was passed in this case:-

“At the outset, learned counsel for the respondent submits that though file of the unit allotted to the appellant has been brought by Mr. Parveen Kumar, Authorised Representative of the respondent-company for perusal of this Bench, yet efforts to settle the matter amicably are afoot.

A query has been put to learned counsel for the respondent whether any meeting has been held with the allottee to explore the possibility of amicable settlement, no clear answer is forthcoming. Learned counsel for the respondent submits that a meeting shall be held with the appellant-allottee either physically or through virtual mode on 09.04.2025 at 11:00 AM sharp to explore the possibility of amicable settlement. Same shall be

held under the supervision of the one of the Directors of the respondent-Company.

Learned counsel for the respondent undertakes to file a short affidavit about the fate of the deliberations held with the allottee.

List on 23.05.2025.”

2. Today, when the case has been taken up for hearing, learned counsel for the respondent seeks to file an affidavit dated 22.05.2025 of Mr. Parveen Kumar, Authorised Representative of the respondent-company. Same is taken on record. Relevant part of the affidavit reads as under:-

“I, the above named deponent, do hereby solemnly affirm and declare on oath, as under:-

- 1. That on the last date of hearing i.e. dated 02.04.2025, the ld. counsel for the respondent sought the time for amicable settlement between the parties and also undertake to file the affidavit with regard to the same.*
- 2. That in compliance of order dated 02.04.2025, a meeting was held on 09.04.2025 and thereafter matter has been settled between the parties. The Hon’ble Authority vide impugned order, ordered to refund the amount along with interest but as per the settlement the complainant/appellant agreed to take the possession, instead of refund.*
- 3. That in view of the settlement possession has already handover to the appellant/complainant on dated 16.05.2025 after settlement of accounts. Copy of the possession certificate is attached herewith.*
- 4. That now the matter has been settled therefore, the present appeal may kindly be disposed of.*
- 5. That by virtue of present affidavit, compliance of order dated 02.04.2025 is being made.”*

3. Learned counsel for the appellant does not dispute the factum of the settlement. She submits that she has

instructions from the appellant-Manoj Kumar to withdraw this appeal. She has made a statement, which is taken on record as Mark-‘A’.

4. In view of statement made by her, the appeal is dismissed as withdrawn.

5. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)
(Joined through VC)

23.05.2025
Rajni