

BEFORE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No. 939 of 2024
Date of decision : 17.10.2025

Ashiana Dwellings Pvt.Ltd., Regd.Office at : 5F, Everest 46/C,
 Chowringhee Road, Kolkata, West Bengal – 700 071.

Appellant

Vs.

1. Mrs. Ruhi Roy
 2. Mr. Santosh Roy
 Residents of Flat No. 1102, Tower-3, Orchid Petals,
 Sector 49, Sohna Road, Gurugram – 122 018.

Respondents

CORAM:

Justice Rajan Gupta
Dr. Virender Parshad
Dinesh Singh Chauhan

Chairman
Member (Judicial)
Member (Technical)

Present: Mr. Atul Goyal, Advocate,
 for the appellant.

ORDER:**Rajan Gupta, Chairman (Oral):**

Present appeal is directed against order dated 22.02.2024 passed by the Adjudicating Officer at Gurugram.

2. At the outset, Mr. Goyal submits that he has instructions from the appellant-company to withdraw this appeal. He, however, submits that the amount of pre-deposit be refunded to the appellant-company along with interest accrued thereon.

3. As per him, the execution proceedings are still pending before the Authority and same have been adjourned *sine die* due to pendency of this appeal.

4. In view of above, he submits that he may be allowed to withdraw the instant appeal.
5. Appeal is dismissed as withdrawn.
6. The amount of pre-deposit made by the appellant in this appeal along with interest accrued thereon be remitted to the Authority to be disbursed to the parties as per their entitlement after conclusion of the execution proceedings, as per law. Needless to observe tax liability, if any, would apply.
7. Copy of this order be forwarded to the parties, their counsel.
8. We feel that there was no necessity for the execution proceedings to be adjourned *sine die* in the absence of any stay order from this Tribunal.
9. Copy of this order be also sent to the Secretary, HRERA, Gurugram.
10. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dr. Virender Parshad
Member (Judicial)

Dinesh Singh Chauhan
Member (Technical)

17.10.2025
dg