

**BEFORE THE HARYANA REAL ESTATE APPELLATE
TRIBUNAL**

Appeal No.738 of 2023 (O&M)
Date of Decision: 28.10.2025

Shakunt Yadav resident of House No.303/3, Opp Tata Motors,
Delhi Road, Gurugram 122001.

Appellant

Versus

Orris Infrastructure Pvt. Ltd. registered office at C-3/260,
Janakpuri, New Delhi, West Delhi 110058 also at J 10/9, DLF
Phase 2, Gurugram.

Respondent

CORAM:

Justice Rajan Gupta
Dr. Virender Parshad
Shri Dinesh Singh Chauhan

Chairman
Member (Judicial)
Member (Technical)

Present: Mr. Mukul Gupta, Advocate,
for the appellant-non-applicant.

Mr. Veer Singh, Advocate,
for the respondent-applicant.

:O R D E R:

RAJAN GUPTA, CHAIRMAN (ORAL):

Present appeal is directed against order dated
23.08.2023 passed by the Authority¹ at Gurugram. Operative part
thereof reads as under:

“G. Directions of the authority

*28. Hence, the authority hereby passes this order and
issues the following directions under section 37 of the
act to ensure compliance of obligations cast upon the
promoter as per the function entrusted to the authority
under section 34(f):*

*i. The respondent is directed to return the paid-up
amount of ₹ 74,18,000/- to the complainant after
deduction of 10% of the sale consideration.*

¹ Haryana Real Estate Regulatory Authority, Gurugram

ii. The respondent is further directed to pay an interest on the balance amount at the rate of 10.75% (the State Bank of India highest marginal cost of lending rate (MCLR) applicable as on date +2%) as prescribed under rule 15 of the Haryana Real Estate (Regulation and Development) Rules, 2017 from the date of surrender i.e., 07.10.2022 till the actual date of refund of the amount within the timelines provided in rule 16 of the rules. Since, the respondent has paid assured return of an amount of ₹ 70,65,419/-, the same shall also be adjusted.

iii. A period of 90 days is given to the respondent-builder to comply with the directions given in this order and failing which legal consequences would follow.

29. The complaint stands disposed of.

30. Files be consigned to registry.

*(Ashok Sangwan)
Member”*

2. Notice of the appeal was issued and the case has been fixed for today. However, an application has been moved by the respondent-promoter (Orris Infrastructure Pvt. Ltd.) stating that a settlement has been arrived at between the parties, terms whereof are contained in the settlement deed dated 05.08.2025 (Annexure A-1). It appears that the said settlement deed is signed by the allottee as well as authorized representative of the respondent-company and witnessed by one person, namely, Mr. Yash Pal Singh.

3. Factum of the settlement deed is not controverted by learned counsel for the appellant/non-applicant. He, however, submits that condition No.6 of the settlement deed is yet to be met by the respondent-promoter.

4. Without expressing any opinion on the terms of the settlement, we feel that the appeal needs to be disposed of as no *lis* now survives in the instant appeal.

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5. Ordered accordingly.
6. Parties are, however, at liberty to seek revival of the appeal, in case, circumstances so demand.
7. Copy of this order be sent to the parties, their counsel and the Authority below.
8. 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)

28.10.2025
Manoj Rana