

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No. 164 of 2025

Date of Decision: 23.12.2025

M/s Vatika Limited, Registered Office at Unit No. 002,
Ground Floor, Tower-A, Vatika INXT City Centre, Sector-
83, Gurugram, Haryana-122012.

Appellant.

Versus

Dr. Namrata Manshani, R/o Tower 1, 702, Parsavnath
Greenville, Sector 48, Sohna Road, Gurugram.

Respondent

Coram:

Justice Rajan Gupta

Chairman

Dr. Virender Parshad

Member (Judicial)

Present: Mr. Kamaljeet Dahiya, Advocate,
for the appellant.

Order:

RAJAN GUPTA, CHAIRMAN (Oral):

Present appeal is directed against order dated 28.04.2023 passed by the Authority¹ whereby cancellation letter dated 27.07.2021 issued by the promoter was set aside and certain other reliefs were granted to the allottee. Aggrieved by the said order, M/s Vatika Limited has filed the present appeal. The appeal, however, is barred by a delay of 579 days.

2. As per report from the Registry, complete pre-deposit in terms of proviso to Section 43(5) of the RERA Act has been made by the appellant. Notice was issued in the application

¹ Haryana Real Estate Regulatory Authority, Gurugram

seeking condonation of delay vide order dated 16.07.2025.. However, none appeared on behalf of the respondent despite notice.

3. During the pendency of this appeal, a statement was made before this Bench on 10.12.2025 that a settlement had been arrived at between the parties and settlement agreement dated 20th August 2025 had been executed. Copy thereof had been produced. Same was taken on record as Mark-‘A’. In view of the said statement, order dated 10.12.2025 was passed, whereby the Secretary, HRERA at Gurugram was directed to summon the parties and submit a report regarding the veracity of the Settlement Agreement.

4. A report has been received from HRERA, Gurugram, as per which, settlement agreement dated 20th August, 2025 is genuine and is being duly acted upon. Relevant para of the report sent by the Secretary, HRERA, Gurugram is reproduced hereunder:

“ On 19.12.2025, Ms. Minoti Kumari, Sr. Manager Legal, appeared on behalf of the promoter, M/s Vatika Ltd. and placed on record BR for appearing on behalf of the promoter. She also placed the original settlement agreement for office perusal. She also stated that the promoter has complied with the terms of the settlement agreement dated 20.08.2025 by refunding an amount of Rs.11,87,194/- after deducting an amount of Rs.66,916/- towards TDS in terms of the settlement deed. On the contrary, none appeared on behalf of the allottee, Dr. Namrata Manshani. However, an email dated 19.12.2025 was received from the allottee, wherein she confirmed that she has “received the desired amount from them.”

5. In view of above, Mr. Dahiya submits that he may be allowed to withdraw the instant appeal. However, the amount

deposited by the appellant-promoter with this Tribunal by way of pre-deposit be returned to it along with interest accrued thereon.

6. Prayer is accepted.

7. Appeal is dismissed as withdrawn.

8. As the appeal is dismissed as withdrawn, therefore, no order needs to be passed in the application seeking condonation of delay.

9. The amount of pre-deposit made by the promoter in this appeal, along with interest accrued thereon, be remitted to the Authority for disbursement to the parties as per their entitlement, subject to tax liability, if any.

10. Copy of this order be sent to the parties/their counsel and the Authority.

11. File be consigned to records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dr. Virender Parshad
Member (Judicial)

23.12.2025
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