

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No. 408 of 2024
Date of Decision: 03.02.2026

Jotindra Steel and Tubes Limited R/o 14/3, Mathura Raod, Sector-45,
Faridabad, Haryana-121003.

...Appellant

Versus

Rakesh Kumar Tiwari R/o House No. 151, Sector-21D, Faridabad,
Haryana-121012.

...Respondent

CORAM:

Justice Rajan Gupta

Chairman

Dinesh Singh Chauhan

Member (Technical)

Present: Ms. Manju Goyal, Advocate, with
Mr. Pankaj Goyal, Advocate,
for the appellant.

None for the respondent.

ORDER:

RAJAN GUPTA, CHAIRMAN (oral)

Challenge in the present appeal is to order dated 14.02.2023 passed by the Authority¹. Operative part thereof reads as under:

“19. Taking into account above facts and circumstances, the Authority hereby passes this order and issues following directions under Section 37 of the Act to ensure compliance of obligation case upon

¹ Haryana Real Estate Regulatory Authority, Panchkula

the promoter as per the function entrusted to the authority under Section 34(f) of the Act of 2016:”

(i) Respondent is directed to refund the entire amount of Rs.3,62,342/- to the complainant.

(ii) A period of 90 days is given to the respondent promoter to comply with the directions given in this order as provided in Rule 16 of Haryana Real Estate (Regulation & Development) Rules, 2017 failing which legal consequences would follow.”

2. During the course of hearing of the appeal, parties on their consent were given liberty to explore the amicable settlement vide order dated 11.09.2025. They were, thus, asked to appear before the Adjudicating Officer at Panchkula. It appears that deliberations between the parties were held before the said officer. Mediation has proved successful and it was decided that the appellant would withdraw the appeal on humanitarian grounds as the allottee was facing medical issues. Operative part of the order passed by the Adjudicating Officer at Panchkula, wherein, settlement has been recorded, reads as under:

“3. Heard.

4. Since, as per the statement given by the ld. Counsel for appellant at bar, the appeal is to be withdrawn and challenged order is to be complied with by the appellant, there remains no reason to proceed further in present mediation proceedings. Consequently, the present mediation proceedings stands disposed of as the issues between parties apparently stand resolved.

4. Intimation to this effect be sent to the Hon’ble Appellate Tribunal immediately to be placed on record tomorrow i.e. 30.01.2026 which is the date already fixed there, for hearing, for its kind information and necessary action please.”

3. In view of above, learned counsel for the appellant submits that she may be allowed to withdraw the appeal.

4. Dismissed as withdrawn.
5. The amount of pre-deposit made by the appellant-promoter along with each appeal in terms of proviso to Section 43(5) of the Act, along with interest accrued thereon, be remitted to the Authority for disbursement to the parties after conclusion of the proceedings, as per their entitlement, subject to tax liability, if any.
6. Copy of this order be sent to the parties/their counsel and the Authority.
7. Files be consigned to records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dinesh Singh Chauhan
Member (Technical)

03.02.2026
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