BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No.275 of 2025

Date of Decision: 12.10.2026

1. Raj Kumar Rana

2. Ms. Shanti Rana

Both R/o A 122, Enigma Apartments, Dwarka Expressway, Sector 110, Bajghera, Gurugram – 122 017.

--Appellants

Versus

M/s. Elan Buildcon Pvt. Ltd., Regd Office at 1A, 8th Avenue, Bandh Road, Village Jonapur, New Delhi – 110 047, Corporate Office at 3rd Floor, Golf View Corporate Tower, Golf Course Road, Sector 42, Gurugram – 122 002.

---Respondent

CORAM:

Justice Rajan Gupta **Chairman**
Dr. Virender Parshad **Member (Judicial)**

Present: Mr. Yashvir Singh Balhara, Advocate,
for the appellants.

Ms. Ankita Chaudhary, Advocate,
for the respondent.

O R D E R:

Rajan Gupta, Chairman (Oral):

Present appeal is directed against order dated 28.08.2024 passed by the Authority[1] at Gurugram. Operative part thereof reads as under :

> *18. 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 pay assured return of Rs.21,913/- per month from 30.06.2017 till the date of obtaining of occupation certificate i.e. 15.03.2023, after deducting the amount already*

[1] Haryana Real Estate Regulatory Authority, Gurugram

paid by the respondent on account of assured return.

ii. *The respondent is directed to pay arrears of accrued assured return as per the letter of assurance dated 20.02.2018 till the date of obtaining occupation certificate at the agreed rate within 90 days from the date of this order after adjustment of outstanding dues, if any, from the complainants and failing which that amount would be payable with interest @ 9.10% p.a. till the date of actual realization.*

iii. *The respondent shall not charge anything from the complainant which is not the part of the agreement of sale.*

19. Complaint stands disposed of.

20. File be consigned to registry."

2. During the course of hearing, matter was referred to mediation with the consent of the parties, wherein, following order was passed on 18.09.2026 :

"On the last date of hearing, settlement deed was filed. The authorized representative appearing on behalf of the respondent-company has confirmed the genuineness of the settlement by virtue of the settlement deed dated 31.08.2026.

Since both the parties have arrived at the settlement, therefore, the matter may be sent back to the Bench of the Tribunal for passing appropriate orders in light of the settlement.

List before the Bench on 12.10.2026."

3. Learned counsel submit that both parties intend to adhere to the terms of the settlement.

4. In view of above, Mr. Balhara submits that he may be allowed to withdraw the appeal.

5. Dismissed as withdrawn.

6. Copy of this order be forwarded to the parties/their counsel and the Authority below.

7. File be consigned to the records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dr. Virender Parshad
Member (Judicial)

12.10.2026
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