

M/s Pioneer Urban Land and Infrastructure Ltd.

V/s

Smt. Sadhna Singh and Anr.

Appeal No. 423 of 2019

Present: Shri Amit Jhanji, Id. Senior Advocate, with Shri Shashank S. Sharma, Advocate Id. counsel for the appellant.

Shri Kailash Prasad Pandey, Advocate, Id. counsel for the respondents.

{The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court}

File has been taken up on receiving the application No. 203 of 2021 filed by the appellant for withdrawal of the appeal. Shri Kailash Pandey, Advocate, Id. counsel for the respondent has also joined the proceedings through video conferencing.

The present appeal was adjourned sine-die by this Tribunal vide order dated 03.07.2020 as the appellant has preferred the RERA Appeal No. 21 of 2019 before the Hon'ble High Court of Punjab and Haryana against the order dated 29.07.2019 passed by this Tribunal.

In the present application, it is mentioned that the said appeal has been withdrawn on account of compromise dated 07.10.2020. The appellant has also placed on file the copy of the order dated 24.08.2021 passed by the Hon'ble High Court which shows that the RERA Appeal No. 21 of 2019 has been dismissed as withdrawn in view of the settlement dated 07.10.2020 between the parties.

Ld. counsel for the appellant states that as a result of memorandum of settlement dated 07.10.2020, the present

appeal may be dismissed as withdrawn. The memorandum of settlement may be made the part of the order and the amount of pre deposit may be refunded to the appellant.

Shri Kailsah Pandey, Advocate, ld. counsel for the respondent has confirmed the matter has been amicably settled between the parties in terms of the memorandum of settlement dated 07.10.2020. He has no objection if the present appeal is dismissed as withdrawn and the amount of pre deposit is refunded to the appellant.

Thus, keeping in view of the application moved by the appellant, statements at bar made by ld. counsel for the parties and the copy of the memorandum of settlement dated 07.10.2020 (Annexure A-2), the present appeal is hereby dismissed as withdrawn. The memorandum of settlement dated 07.10.2020 shall be deemed to the part of this order. The amount of pre-deposit of Rs. 31,85,000/- be refunded to the appellant as per rules.

Copy of this order be communicated to the ld. counsel for the parties/parties and the ld. authority.

File be consigned to the records.

Justice Darshan Singh (Retd.)
Chairman,
Haryana Real Estate Appellate Tribunal,
Chandigarh

Inderjeet Mehta
Member (Judicial)

Anil Kumar Gupta
Member (Technical)

15.09.2021
rajni