

M/s Emaar MGF Land Ltd.

Vs.

Shabnam Aggarwal & Anr.

CM No.223 of 2021 in

Appeal No.596 of 2019

Present: Ms. Rupali Shekhar Verma, Advocate, Ld. counsel for the appellant. (in person)

Shri Rakesh Aggarwal, respondent No.2 for himself and for respondent No.1.

***(The Court proceedings conducted through VC due to Covid-19 burst)***

File has been taken up today on the basis of an application filed by the appellant for preponement and withdrawal of the appeal due to amicable settlement between the parties.

Heard.

In view of the reasons mentioned in the application, the appeal is preponed and is taken for today.

Ld. counsel for the appellant states that the amicable settlement has taken place between the parties. The Settlement Agreement dated 27<sup>th</sup> September, 2021 has been executed between the parties. She further states that in view of the amicable settlement between the parties, the present appeal may be dismissed as withdrawn and the amount of pre-deposit may be refunded to the appellant.

Shri Rakesh Aggarwal, respondent No.2 for himself and for respondent No.1 has also confirmed the factum regarding amicable settlement in terms of the Settlement Agreement dated 27<sup>th</sup> September, 2021. He further stated that they have no objection, if the amount of pre-deposit is refunded to the appellant.

Thus, in view of the statements made at bar by Ld. counsel for the appellant and Shri Rakesh Aggarwal, respondent No.2 for himself and for respondent No.1, the present appeal is hereby dismissed as withdrawn. The Settlement Agreement dated 27<sup>th</sup> September, 2021 shall form part of this order. The amount of pre-deposit i.e. Rs.83,57,658/- be refunded to the appellant-promoter as per Rules.

Copy of this order be conveyed to the parties/Ld. counsel  
for the parties and the Ld. Authority.

File be consigned to the record room.

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

Inderjeet Mehta  
Member (Judicial)

Anil Kumar Gupta  
Member (Technical)

01.10.2021  
Gaurav