

M/s Emaar MGF Land Ltd.

Vs.

Madan Gopal Kamboj  
Appeal No.347 of 2020

Present: Shri Aashish Chopra, Ld. Senior Advocate, with Ms. Sugandha Kundu, Advocate, Ld. counsel for the appellant.

Shri Rishab Jain, Advocate, Ld. counsel for the respondent.

**(CASE TAKEN UP THROUGH VC)**

Ld. counsel for both the parties have stated that the parties have compromised and settled the matter amicably in terms of Settlement Agreement dated 08<sup>th</sup> February, 2022.

Ld. counsel for the appellant states that in view of the amicable settlement dated 08<sup>th</sup> February, 2022 between the parties, the present appeal may be dismissed as withdrawn. The amount deposited by the appellant with this Tribunal in compliance of provisions of proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (the Act, for short) may be refunded.

Ld. counsel for the respondent states that he has no objection in withdrawal of the present appeal. He has also no objection if the amount deposited by the appellant is refunded to the appellant. He further states that the respondent will withdraw the execution petition pending before the Ld. Authority.

In view of the statements made at bar by Ld. counsel for both the parties, the present appeal stands dismissed as withdrawn. The settlement agreement dated 08<sup>th</sup> February, 2022 will become the part of this order and will supersede the impugned order dated 20.12.2018 passed by the Ld. Authority.

The amount of Rs.26,89,893/- deposited by the appellant with this Tribunal to comply with the provisions of proviso to Section 43(5) of

the Act be refunded to the appellant along with interest accrued as per the law and Rules.

Copy of this order be sent to concerned parties.

File be consigned to the record,

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

Inderjeet Mehta  
Member (Judicial)

Anil Kumar Gupta  
Member (Technical)

02.03.2022  
*Manoj Rana*