

Emaar India Ltd.
Vs.
Neetu Sharma and another
Appeal No. 326 of 2021

Present: Ms. Tanika Goyal, Advocate,
for the appellant.

Mr. Pardeep Sharma,
One of the respondents in person along with
Mr. Samarth Aggarwal, Advocate.

On the last date of hearing, the following order was
passed in this case:-

“Admittedly, respondent-allottees are in possession.

Learned counsel for the appellant, at the outset, submits that appellant-promoter is considering to offer amount in lump sum to the respondent-allottees in lieu of full and final settlement of all their claims. Appellant-promoter is at liberty to contact the respondent-allottees for this purpose and apprise this Tribunal of the progress, if any, on the next date of hearing, failing which, the matter shall be heard on merits.

Mr. Yadav, counsel appearing for the respondent-allottees submits that the respondent-allottees shall cooperate with the promoter in every manner.

To come up on 03.05.2024.”

Today, Ms. Goyal submits that she has sought instructions from the appellant (M/s Emaar India Ltd.). Appellant-company is ready to remit a lump sum amount of Rs.33,00,000/- to the respondent allottee in lieu of full and final settlement of all their claims. Conveyance deed will be executed subject to payment of differential amount of stamp duty & E-challan. A demand draft of Rs.33,00,000/-shall be brought before this Tribunal on the next date of hearing. In such eventuality, the amount deposited with this Tribunal by way of pre-deposit be returned to appellant-promoter along with interest accrued thereon.

Mr. Samarth Aggarwal, Advocate, on instructions from Mr. Pardeep Sharma, (one of the allottees), submits that aforesaid proposal is acceptable to him if differential amount is sought only in respect of stamp duty, E-challan and no other charges.

Learned counsel for the appellant and Mr. Pardeep Sharma, one of the respondent-allottees have made their respective statements, same are taken on record as Mark-'A' and Mark-'B'.

List on 02.07.2024.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

03.05.2024
Manoj Rana