

Emaar India Ltd.
Vs.
Prashant Bajaj
Appeal No.499 of 2021

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

Mr. Aquib Ali, Advocate along with
Mr. Azhar Ayaz, Advocate,
for the respondent.

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

“Admittedly, respondent-allottee has already been in possession. During the course of arguments, a question has arisen whether a lump sum amount can be given to the allottee-respondent in lieu of all his claims including DPC etc.

Ms. Goyal has sought instructions and states that the appellant-company is ready to offer an amount of Rs.61,00,000/- as full and final settlement. This would be, however, subject to clearance of outstanding CAM charges. Besides in the eventuality of execution of conveyance deed, the respondent-allottee would be required to pay stamp-duty etc.

Mr. Ali submits that he needs some time to seek instructions and apprise this Tribunal.

On his request, adjourned to 30.07.2024.

Authorised Representative of the appellant-company and the respondent personally shall remain present before this Bench on the next date of hearing.”

Pursuant to the aforesaid order, Mr. Parshant Bajaj, respondent-allottee is present in Court today. On his instructions, Mr. Ali submits that offer in the aforesaid terms is not acceptable to him.

It appears that possession was handed over to the respondent allottee in view of the order dated 18.01.2023 passed by the Predecessor Bench.

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In view of the stand taken by the allottee, at this stage,
it appears that matter is required to be heard on merits.

Learned counsel make submissions on the same line.

List on 01.10.2024.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

30.07.2024
Manoj Rana