BEFORE THE TAMIL NADU REAL ESTATE APPELLATE TRIBUNAL (TNREAT)

(Tamil Nadu, Puducherry, Andaman & Nicobar Islands)

(Under the Real Estate Regulation And Development Act 2016)

DATED 11.08.2021

Coram : Mr.N.Balasubramanian, Judicial Member
Ms.Leena Nair, Administrative Member

Appeal No. 29 of 2021

M/s. Prestige Estate Projects Limited
Rep. by its Vice President Mr.Vijay Sundar Raj ... Appellant

-Vs-

Munish Malhotra ... Respondent

This Appeal was preferred against the order of Adjudicating Officer in C.C.P.No.258/2019 dated 04.12.2020. This Appeal was taken on file on 22.02.2021 and after the compliance of Section 43(5) of the Real Estate (Regulation and Development) Act, 2016, appeal was admitted and notice was ordered to respondent. After the appearance of the respondent through counsel both sides represented that matter has been settled and joint memo filed & recorded. The appellant appeared through M/s.P.V. Sajiv Kumar, S.Arjun Suresh,

B.Kishore, Apoorva Vinjamur, Noyal James, Gautham Balaji of M/s.Dua Associates and the respondent appeared through his counsel Mr. T.N.Buvaneswaran. Both side counsels and parties appeared through video conferencing. The appellant sought for withdrawal of the appeal. Considering the settlement between the parties this Tribunal delivered the following:

ORDER

The complainant/respondent has preferred a compliant in C.C.P.No.258 of 2019 before the Adjudicating Officer for the relief of refund, interest, compensation and for litigation costs. After contest the Adjudicating Officer allowed the complaint in part on 04.12.2020. Aggrieved upon the same the promoter preferred this appeal. After the appearance of the respondent both parties entered into a settlement and a joint memo was filed and recorded. In view of the joint memo the appellant sought to withdraw the appeal. Considering the settlement between the parties the appellant is permitted to withdraw the appeal and this Tribunal passed the following order:

> ***"The appellant and its counsel present in the video conferencing. The respondent and his counsel present in the video conferencing. Both the counsels filed joint memo to record settlement and also permit the appellant to withdraw the appeal and the deposited amount. The appellant company's Head - Business Operations for Tamil Nadu Mr.C.Nagaraj has signed in the joint memo, who has not signed in the appeal memorandum. This fact brought to the knowledge of the respondent's counsel and the respondent. Both the respondent and his counsel agreed for compromise and to permit the appellant to withdraw the appeal. The respondent's counsel has sent an email by***

stating that he has no objection to withdraw the appeal and to withdraw the amount deposited by the appellant. Email recorded. Joint Memo recorded.

The appellant is permitted to withdraw the appeal. The appeal is dismissed as withdrawn. "

Connected Miscellaneous Application is closed.

This Order is directly dictated to the Stenographer and typed in the computer by her, corrected and pronounced by us in the open court on 11th Day of August 2021.

Sd/- xxxx
ADMN. MEMBER

Sd/- xxxx
JUDL. MEMBER

Verified RealEstate