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 07.07.2021

Coram : Mr.Justice B.Rajendran, Chairperson
Mr.N.Balasubramanian, Judicial Member
Ms.Leena Nair, Administrative Member

Appeal No. 04 of 2021

M/s.Ozone Projects Private Limited
Rep. by Authorized Signatory ... Appellant

-Vs-

M/s.Brizozone Property Holding Pvt. Ltd.,
Rep. by its Director Mrs.Shika Goyal. .... Respondent

This appeal was taken on file on 11.01.2021 and negotiation was going on settlement and finally came up on 07.07.2021 in the presence of M/s.BFS Legal, P.V.Balasubramaniam, D.Ferdinand, K.M.Aasim Shehzad, Meera Moganasundaram, Counsels for the appellant and M/s.Shobhan M Padmanabhan, Puhazh Gandhi.P and A.Stephen, Counsels for the respondent. Both parties filed application for compromise under Order 23 Rule 3 CPC in M.A.No.89/2021 and

after verifying the contents of the compromise application through video conferencing this Tribunal delivered the following:

ORDER

1. The complainant has preferred a compliant in C.C.P.No.190 of 2019 for compensation before the Adjudicating Officer. After contest the Adjudicating Officer allowed the complaint in part on 06.03.2020 and directed the promoter to pay compensation to the complainant @ Rs.15 per sq. ft., as per the agreement, for each month of delay till handing over of possession. Also awarded interest @ 10% per annum for the amount received by the promoter. Towards compensation for mental agony a sum of Rs.1,00,000/- and towards litigation expenses a sum of Rs.25,000/- was awarded. Aggrieved upon the same the promoter preferred this appeal. From the 1st day of the hearing of the appeal the advocate for appellant represented that negotiation was going on for settlement. Finally the matter has been settled and filed an application in M.A.No.89 of 2021 on 07.07.2021 by both sides under Order 23 Rule 3 CPC. On verifying the parties concerned and the advocates on record through video conferencing and acceptance of the both parties the terms of compromise entered between them through physical copy of compromise application and this Tribunal passed the following order:

> ***"The application for compromise under Order 23 Rule 3 filed and all the parties have signed. The appellant is represented by Mr.K.Krishnan, Vice President, Legal is present in the video conferencing***

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along with his Advocate Ms.Meera Moganasundaram and the respondent Mrs. Shika Goyal is present in the video conferencing along with her advocate Mr.Shoban M.Padmanabhan, they all agree with the terms of the compromise application filed before the court. The compromise is accepted by the parties. They have also stated that they knew the contents of the compromise application and accept the same. The compromise is recorded. The appeal is disposed of in terms of the compromise application filed by both the appellant and the respondent. "

Connected Miscellaneous Applications are 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 07th Day of July 2021.

Sd/- xxxx
CHAIRPERSON

Sd/- xxxx
ADMN. MEMBER

Sd/- xxxx
JUDL. MEMBER

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