

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 2

APPEAL-363/2023

GAURSONS HI-TECH INFRASTRUCTURE PRIVATE LIMITEDAppellant

Versus

DHARMEDRA KUMARDHARMEDRA KUMARRespondent

Counsel for Appellant

SAMRAT VAISH

MOHIT YADAV

Counsel for Respondent

AMIT YADAV

Hon'ble Mr. Sanjai Khare, Judicial Member

Hon'ble Mr. Rameshwar Singh, Administrative Member

Sri Samrat Vaish, learned counsel for appellant and Sri Amit Yadav, learned counsel for respondent are present.

Both counsels submit that parties have arrived on an amicable settlement and, therefore the appellant requests for withdrawal of the instant appeal.

On due consideration we accept the request of learned counsel for appellant and permit the appellant to withdraw the instant proceedings.

In view of above, the appeal is **dismissed** as withdrawn.

Sri Amit Yadav, learned counsel for respondent submits that the respondent has no objection if the amount deposited by the appellant towards compliance of Section 43(5) of the Act is released in favour of the appellant.

The case of the appellant has been dismissed as withdrawn and respondent has no objection about the release of amount deposited towards compliance of Section 43(5) of the Act, 2016 in favour of appellant, therefore, appellant is directed to file an application before the Registrar of the Tribunal indicating the amount deposited towards the compliance of Section 43(5) of the Act along with its proof and the bank account number in which the appellant wants the amount to be transmitted by the Tribunal. On receipt of the application, the Registrar will verify from the Account Department/SBI with respect to the deposit of the amount by the appellant and if the same is converted into fixed deposit in pursuance to the

administrative order of June, 2023, after redemption of the amount of fixed deposit, the same will be transmitted to the appellant along with interest accrued on the said FD, through RTGS in the bank account of the appellant.

(Rameshwar Singh)

(Sanjai Khare)

Dated: 08.01.2025

IRFAN