

(2024) 11 UK CK 0020

In the Uttarakhand High Court

Case No : Rera Appeal No. 05 Of 2021, 06 Of 2020

CPL O.P. Dahiya & Others

APPELLANT

Vs

Air Force Naval Housing Board & Others

RESPONDENT

Date of Decision : 07-11-2024

Acts Referred:

Citation : (2024) 11 UK CK 0020

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Anand Dabas, Himanshu Pal, D.K. Bankoti, Alok Mahra

Judgement

Alok Kumar Verma, J

1. The RERA Appeal No. 05 of 2021 has been filed challenging the judgment dated 11.10.2019, passed by the Uttarakhand Real Estate Appellate Tribunal, at Dehradun in Appeal No. 10 of 2019.
2. The RERA Appeal No. 06 of 2020 has been filed against the judgment dated 11.10.2019, passed by the Uttarakhand Real Estate Appellate Tribunal, at Dehradun in Appeal No. 10 of 2019 and the order dated 26.03.2019, passed by the Uttarakhand Real Estate Regulatory Authority, Dehradun in Complaint Case No. 160 of 2018.
3. Mr. Anand Dabas, learned counsel, in-person and Mr. Himanshu Pal (through video conferencing), learned counsel for the appellant in RERA Appeal No. 5 of 2021.
4. Mr. D.K. Bankoti, learned counsel holding brief of Mr. Alok Mahra, learned counsel for the appellant in RERA Appeal No. 06 of 2020.
5. Mr. O.P. Dahiya, the appellant in RERA Appeal No. 05 of 2021, is present in-person.
6. Mr. B. S. Nirola, the authorized Officer of the appellant in RERA Appeal No. 06

of 2020, is present in-person.

7. The present matters were referred for mediation.

8. Both the parties have settled their disputes before the Mediator with their free will, without influence and with free mind. They have settled their disputes before the Mediator on the following terms:-

“(i) That the appellant CPL O P Dahiya shall pay an amount of Rs. 3,93,590/- (rupees three lakh ninety three thousand five hundred ninety) to the respondent Air Force Naval Housing Board along with long term maintenance fund of Rs. 30,000/- (rupees thirty thousand). Total sum of Rs. 4,23,590/- (rupees four lakh twenty three thousand five hundred ninety).

(ii) That on receipt of this payment within a week time from today, the respondent Air Force Naval Housing Board shall hand over possession of the subject flat at Dehradun to the appellant Shri O P Dahiya within next two weeks’ time on as in where is basis.

(iii) Thereafter no claim of any kind shall be raised by either of the parties and both the appeals stands amicably settled.

9. The record of RERA Appeal No. 05 of 2021 will be treated as a leading case.

10. Both the parties submitted that they have resolved their disputes amicably with their free will and without any pressure. They have requested to decide the said Appeals on the terms and conditions mentioned hereinabove.

11. Mr. CPL O.P. Dahiya, the appellant, is identified by Mr. Anand Dabas, Advocate.

12. Mr. B.S. Nirola, the authorized Officer of the appellant in RERA Appeal No. 06 of 2020, is identified by Mr. D.K. Bankoti, Advocate.

13. With the consent of both the parties, the RERA Appeal No. 05 of 2021 and the RERA Appeal No. 6 of 2020 are decided in the terms and conditions mentioned hereinabove. The judgment dated 11.10.2019, passed by the Uttarakhand Real Estate Appellate Tribunal, at Dehradun in Appeal No. 10 of 2019 and the order dated 26.03.2019, passed by the Uttarakhand Real Estate Regulatory Authority, Dehradun in Complaint Case No. 160 of 2018 are modified accordingly.

14. The report of the Mediator dated 07.11.2024 in Mediation Case No. 150 of 2024 will form part of this Order.

15. A copy of this Order be placed on the record of the RERA Appeal No. 06 of 2020.