

6. Learned Counsel for Earth Iconic project (Home Buyers' Association) who had filed the application for impleadment submits that the Appellant is not entitled for any success fee since no Resolution for payment of success fee was passed and it was by only passing way the note was recorded in the Minutes. He further submits that issue of payment of success fee is also pending consideration before the Hon. Supreme Court.

We have heard the Counsel for the parties and perused the record.

7. The plan which was approved for the project in question is still under implementation and has not been implemented so far. As submitted by the Counsel for the parties that there is an issue of (DGTCP) Director General, Town and Country Planning, Haryana due to which implementation has not taken place. When the plan has not yet been taken place, we see no reason to issue any direction as prayed for, in this appeal. We grant liberty to the Appellant to file a fresh application which may be decided in accordance with law after hearing all the affected parties including SRA, CoC as well as Monitoring Committee.

8. We make it clear that we have not expressed any opinion on the merit of any claim of the Appellant. ***The appeal is disposed of accordingly.***

**[Justice Ashok Bhushan]
Chairperson**

**[Mr. Barun Mitra]
Member (Technical)**

ss/nn