

**BEFORE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

34] M.A. No. 17/24 (Withdrawal of Amount)

In

AT006000000010774/18

Richard D'souza

... Applicant

V/s.

Neelkamal Realtors Suburban Pvt. Ltd.

...Non-applicant

Alongwith

35] M.A. No. 18/24 (Withdrawal of Amount)

In

AT006000000010988/19

Ulanda Fernandes & Anr.

... Applicants

V/s.

Neelkamal Realtors Suburban Pvt. Ltd.

...Non-applicant

Adv. Ms. Shivani Shukla for Applicants.

None for Non-applicant.

CORAM : SHRI SHRIRAM. R. JAGTAP, MEMBER (J), &

DR. K. SHIVAJI, MEMBER (A)

DATE : 30th April, 2024

(THROUGH VIDEO CONFERENCE)

1] Advocate Ms. Shivani Shukla submits that in both the matters the Applicant has served the Notice on the judgment debtor and pursuant thereto the judgment debtor has filed reply to applications. She has received copies of reply of judgment debtor in both the matters.

2] None for Non-applicant. Reply reveals that the Non-applicant has stiff opposition to the applications only on the ground that after dismissal of second Appeal, the Non-applicant has preferred Special

Sgtap

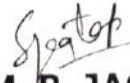
Leave Petition (SLP) before the Hon'ble Supreme Court. However, there is no material on record to show that after dismissal of second Appeal, the Non-applicant has preferred SLP and the same is pending before the Hon'ble Supreme Court. Therefore, we are of the view that there is no impediment in allowing these applications. Accordingly, Applications are allowed.

3] The Registry is directed to pay Rs.1,15,342/- with accrued interest in Misc. Application No.17/2024 to Applicant and Rs.3,20,919/- with accrued interest in Misc. Application No.18/2024 to Applicants as per rules.

4] Accordingly, both the Misc. Applications stand disposed of.



(DR. K. SHIVAJI)



(SHRIRAM. R. JAGTAP)