

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**MISC. APPLICATION NO. 567 OF 2023 [Stay]
IN
APPEAL NO. AT006000000174635**

Godrej Landmark Redevelopers Pvt. Ltd. ... Appellant

-VS-

Punam Nitin Nikam & Ors. ... Respondents

**MISC. APPLICATION NO. 566 OF 2023 [Stay]
IN
APPEAL NO. AT006000000174636**

Godrej Landmark Redevelopers Pvt. Ltd. ... Appellant

-VS-

Kala Madhukar Tikle & Ors. ... Respondents

**MISC. APPLICATION NO. 565 OF 2023 [Stay]
IN
APPEAL NO. AT006000000174637**

Godrej Landmark Redevelopers Pvt. Ltd. ... Appellant

-VS-

Anisha Bhandari & Ors. ... Respondents

*Mr. H. Narvekar, Advocate for Appellant.
None for Respondents.*

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


DR. K. SHIVAJI, MEMBER (A)

DATE : 05th JANUARY, 2023



(THROUGH VIDEO CONFERENCE)

Advocate Mr. H. Narvekar appearing for Appellant submits that in pursuance to the order of this Tribunal dated 31.10.2023, compliance of the Proviso to Section 43(5) of the Act of 2016 has already been done in all the three appeals and compliance report has also been filed.

- 2] Perused.
- 3] Compliance report is not on record.
- 4] Matter  are kept back.

Later on,

- 5] Report filed by Appellant have been located.
- 6] Learned counsel confirms that compliance report in pursuance to order dated 31.10.2023 passed by this Tribunal in the last date have been complied with in all the three appeals.
- 7] In view of the compliance of the order dated 31.10.2023 and compliance of the Proviso to Section 43(5), and in view of the execution of the order is already listed before the executing authority on 08.01.2024, learned counsel for Appellant promoter seeks to stay the impugned order dated 30.06.2023 passed by MahaRERA.
- 8] In view of the deposit of the requisite amount in pursuance to order dated 31.10.2023 of this Tribunal towards the compliance of the proviso directly in the Account Section of this Tribunal, Appellant is further



directed to file and serve copy of the compliance report along with relevant attachments/documents within three weeks to other side and file the same in the Tribunal.

9] Perused.

10] Appellant is seen already having deposited Demand Draft in the Account Section, towards the compliance of the proviso, and being claimed to be the entire amount as per the impugned order under challenge.

11] In view of above, impugned order dated 30.06.2023 stands stayed during the pendency of the appeal and accordingly, captioned Misc. Application Nos.567/2023, 566/2023 and 565/2023 are allowed and disposed of on above terms.

12] Copy of this order be sent to the Authority as per Section 44(4) of RERA.

13] Stand over to 19th March, 2024 for filing and serving of the proper compliance report and replies in all appeal.


(DR. K. SHIVAJI)


(SHRIRAM, R. JAGTAP, J.)