

**BEFORE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

25] M.A. No. 602/23 (Stay)

in

AT006000000174673/23

Skystar Buildcon Pvt. Ltd.

... Appellant

V/s.

Vijayender Singh Manhas

...Respondent

Adv. Vikramjit Garewal for Appellant

Mr. Vijayender Singh Manhas for Respondent

**CORAM : SHRI SHRIRAM. R. JAGTAP, MEMBER (J), &
DR. K. SHIVAJI, MEMBER (A)**

**DATE : 26th February, 2024
(THROUGH VIDEO CONFERENCE)**

1. Adv. Vikramjit Garewal submits that the appellant has deposited an amount of Rs. 27,98,000/- in the Tribunal and submitted compliance report as contemplated under Section 43 (5) of RERA and served the copy of the same to other side
2. Mr. Vijayender Singh Manhas confirms the same.
3. Mr. Vijayender Singh Manhas further submits that he does not want to file reply to compliance report.
4. Mr. Vijayender Singh Manhas submits that he has filed reply to appeal and served the copy of the same to other side. Adv. Vikramjit Garewal confirms the same.
5. Adv. Vikramjit Garewal submits that the impugned order be stayed.
6. We have heard learned Adv. for appellant and respondent in person.
7. Record reveals that by the order dated 19th April, 2023, the Ld. Authority has transferred the complaint to Adjudicating Officer, MahaRERA for adjudication of the compensation and thereafter, the Adjudicating Officer has disposed of the complaint by awarding

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compensation to the complainant by his order dated 03.08.2023.

8. The appellant has challenged the order dated 03.08.2023 passed by Adjudicating Officer awarding compensation to the complainant. The appellant has also deposited the amount as ordered by Adjudicating Officer, MahaRERA in compliance of Proviso to Section 43(5) of RERA. Therefore, we are of the view that there is no impediment in granting stay to the impugned order dated 03.08.2023 passed by Adjudicating Officer, MahaRERA. Accordingly, impugned order 03.08.2023 passed by Adjudicating Officer, MahaRERA is stayed till the disposal of the appeal.
9. Parties submit that pleadings are complete.
10. Parties are directed to file written submissions and exchange the copies thereof to each other.
11. Stand over to 19th June, 2024 for filing written submission.


(DR. K. SHIVAJI)
Ajit


(SHRIRAM. R. JAGTAP)