

**BEFORE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

75] AT004000000031625/19

Mr. Sachin Tomar & Anr.

... Appellants

V/s.

M/s. Luxora Infrastructure Pvt Ltd.

...Respondent

*Adv. Darshan Naik for Appellants a/w Adv. Reshma Shirke, Adv. Gopal Krishna Naik & Adv. Kamlakar Dalvi.
Adv. Faiza Dhanani for Respondent.*

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


DATE : 01st March, 2024

(THROUGH VIDEO CONFERENCE)

1. Following order is passed.

ORDER

- a. Captioned appeal is partly allowed.
- b. Impugned order dated 21st March 2018, passed in Complaint No. CC 0060000000 10024 is set aside.
- c. Respondent promoter is directed to refund the paid amounts of ₹.5,30,331 and also the HDFC Bank's housing loan processing fees of Rs. 11,000/- together with interest at the rate of highest marginal cost of lending rate of State Bank of India plus 2% from the date of receipt of payments within 30 days from the date of this order, failing which, promoter will pay interest at this rate on the total amount due and outstanding as on 31st March 2024 till its actual realization.
- d. No order as to costs.
- e. In view of the provisions of Section 44(4) of the Act of 2016, a copy of this order shall be sent to the parties and to MahaRERA.


(DR. K. SHIVAJI)
Ajit


(SHRIRAM. R. JAGTAP)