

**BEFORE MAHARASHTRA REAL ESTATE  
APPELLATE TRIBUNAL MUMBAI**

**21] M.A. No. 336/23 (Withdrawal of Amt.)**

**In**

**AT006000000031630/19**

Mr. Ankush Malhotra

... Applicant

V/s.

Mr. Vijay Wadhwa

...Non-applicant

*Adv. Pooja Gaikwad for Applicant.*

*None for Non-applicant.*

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

**DATE : 2<sup>nd</sup> January, 2024**

**(THROUGH VIDEO CONFERENCE)**

1. Adv. Pooja Gaikwad submits that pursuant to the order dated 7<sup>th</sup> December 2023, the compliance report came to be filed by applicant, which reveals that the non-applicant has deposited total amount of Rs. 3,83,336/-
2. It is not in dispute that the appeal filed by promoter has already been disposed of.
3. The compliance report filed by applicant reveals that no further proceeding is pending in any court of law with respect to matter in dispute. Therefore, we are of the view that there is no impediment in allowing the application filed by allottee. Accordingly, registry is directed to pay Rs.3,83,336/- to allottee, which has been deposited by promoter in compliance of proviso to Section 43(5) of RERA.
4. The registry is directed to pay the entire amount along with interest to allottee as per rules. Accordingly, M.A. No. 336 of 2023 stands disposed of.

  
(DR. K. SHIVAJI)

Ajit

  
(SHRIRAM. R. JAGTAP)