

**BEFORE MAHARASHTRA REAL ESTATE  
APPELLATE TRIBUNAL MUMBAI**

**1] M.A. No. 711/23 (Arrest Warrant)  
with  
M.A. No.713/23 (Interim Relief)  
with  
Ex. No. 19/21  
In  
AT006000000031769/19**

Ms. Smita B. Kaskar

...Applicant

V/s.

Nirmal Lifestyle Ltd.

...Non-applicant

*Adv. Nitin Kaskar for Applicant.*

*Adv. Tushar Kadam for Non-applicant.*

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

**DATE : 04<sup>th</sup> January, 2024**

**(THROUGH VIDEO CONFERENCE)**

1. We have heard learned counsel appearing for the respective parties.
2. Learned Adv. Nitin Kaskar has poignantly submitted that wrong submissions had been made by Adv. Tushar Kadam on 22<sup>nd</sup> December 2023 that Adv. Nitin Kaskar has given consent as recorded in order dated 22<sup>nd</sup> December 2023 and in fact, he has not given such consent as mentioned in the order.
3. Adv. Tushar Kadam submits that he will deposit DD of Rs. 4,31,580/- in the Tribunal by today itself and he will also file undertaking of authorized person strictly in accordance with order dated 22<sup>nd</sup> December 2023 by today itself. In view of submissions advanced by Adv. Tushar Kadam for judgment debtors, we direct the judgment debtors to submit undertaking strictly in accordance with the order dated 22<sup>nd</sup> December 2023 by today itself and deposit demand draft

*Sgtap*

of Rs. 4,31,580/- by today itself, failing which order dated 22<sup>nd</sup> December 2023 recalling the letter sent to bank for attaching the bank accounts of judgment debtors will stand vacated automatically.

4. Judgment debtors are directed to serve the copy of undertaking to other side.
5. Stand over to 11<sup>th</sup> January 2024 for further consideration.

  
(DR. K. SHIVAJI)

Ajit

  
(SHRIRAM. R. JAGTAP)