

**BEFORE MAHARASHTRA REAL ESTATE  
APPELLATE TRIBUNAL MUMBAI**

**APPEAL NO. AT006000000041996/2019**

Mr. Ashutosh Kumar Sah

... Appellant

V/s.

M/s. Proviso Builders & Developers & 2 Ors.

... Respondents

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*Adv. Mr. Prasanna Gupte for Appellant*

*Adv. Ms. Ritika Agarwal for Respondents*

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

**DR. K. SHIVAJI, MEMBER (A)**

**DATE : 28<sup>th</sup> February, 2024**

**(THROUGH VIDEO CONFERENCE)**

Advocate Mr. Prasanna Gupte for Appellant and Advocate Ms. Ritika Agarwal for Respondents.

2] Matter is kept back.

**Later**

On enquiry of this Tribunal, Advocate Ms. Ritika Agarwal on instructions submits that the Respondents have sold the subject flat and the subject flat is not available as on today. She further submits that the Respondents have received Occupancy Certificate on 2<sup>nd</sup> May, 2023. The Respondents have offered alternate flat to Allottee but the Allottee is not ready to accept the same.



2] Per contra, Advocate Mr. Prasanna Gupte submits that the Respondents are asking to pay more amount i.e. current value of the flat which they have offered and not as per the value of the booked flat.

3] Stand over to 16<sup>th</sup> April, 2024 for final hearing.

  
(DR. K. SHIVAJI)

MBT/8

  
(SHRIRAM. R. JAGTAP)