

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**Ex. No. 13 OF 2023**

**IN**

**APPEAL NO. AT006000000052632 OF 2020**

Srichand Makhija

... Applicant

-VS-

Swadhinta Builders LLP

... Non-applicant

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**MISC. APPLICATION NO. 423 OF 2023 [Interim Relief]**

**WITH**

**Ex. No. 14 OF 2023**

**IN**

**APPEAL NO. AT006000000052753 OF 2020**

Jagruti Parekh and Hitesh Parekh

... Applicants

-VS-

Swadhinta Builders LLP

... Non-applicant

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**MISC. APPLICATION NO. 424 OF 2023 [Interim Relief]**

**WITH**

**Ex. No. 15 OF 2023**

**IN**

**APPEAL NO. AT006000000052803 OF 2020**

Priyanka Waghela

... Applicant

-VS-

Swadhinta Builders LLP

... Non-applicant

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**MISC. APPLICATION NO. 425 OF 2023** [Interim Relief]  
**WITH**  
**Ex. No. 16 OF 2023**  
**IN**  
**APPEAL NO. AT006000000052776 OF 2020**

Jayesh Jagdish Thakkar

... Applicant

-vs-

Swadhinta Builders LLP

... Non-applicant

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**MISC. APPLICATION NO. 426 OF 2023** [Interim Relief]  
**WITH**  
**Ex. No. 17 OF 2023**  
**IN**  
**APPEAL NO. AT006000000052807 OF 2020**

Mr. Ranjan Chandiramani

... Applicant

-vs-

Swadhinta Builders LLP

... Non-applicant

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*Ms. Tvishi Pant, Advocate for Applicants.*

*Mr. Jeetendra Ranawat, Advocate for Non-applicant.*

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

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

**DATE : 23<sup>rd</sup> FEBRUARY, 2024**

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference.

2] Learned counsel appearing for Applicants submits that by order of this Tribunal dated 26.10.2023, registry has been directed to issue the warrant for recovery of amount against Non-applicant and accordingly, the recovery warrant is stated to have been sent to the Collector. However, the Collector has informed her that in the cases of Execution Nos. 14, 15



and 16 the recovery warrant has not been received by the Collector.

3] By filing these praecipes, Applicants are seeking for re-issuance of the recovery warrant.

4] Learned counsel for Non-applicant submits upon instruction that recovery amount along with interest as per the judgment decree in all the matters, have already been deposited with the Collector and is ready and willing to deposit the proof/receipt within two days and serve the same to the other side.

5] In view of above, Non-applicant is directed to serve the copy of the same to Applicants.

6] Registry is directed to issue directions to the Collector to pay the entire amount deposited by Non-applicant in all the matters to be transferred and paid to the Applicants as and when the request is made before the Collector.

7] Registry to issue the direction within two days of uploading of this order.


8] Copy of this order be sent to the parties, MahaRERA and also to the Collector, under Section 44(4) of the Act.

9] Praecipe filed herein above stands disposed of on above terms.

10] Matter is already listed on 04<sup>th</sup> March 2024.

11] Stand over to 04<sup>th</sup> March 2024 for further consideration.

  
(DR. K. SHIVAJI)

  
(SHRIRAM. R. JAGTAP, J.)