

**BEFORE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

**M. A. No. 687/22 (Delay)
M. A. No. 311/23 (Restoration)
In**

Appeal No. AT006000000052643/21 (D.)

CCI Projects Pvt. Ltd.

... Applicant

V/s.

Sunil Agarwal and Anr.

... Non-applicants

Adv. Mr. Abir Patel for Applicant

Adv. Mr. Vivek Shrivastava for Non-applicants

Mr. Sunil Agarwal, Ms. Anita Agarwal, Non-applicants in person

Ms. Riddhi Shah, Authorised Representative of Applicant

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

DATE : 21st December, 2023

(THROUGH VIDEO CONFERENCE)

Learned counsel submit that parties have amicably settled their dispute and have filed consent terms on record.

2] Ms. Riddhi Shah, Authorised Representative of Applicant/Promoter is present. Mr. Sunil Agarwal and Ms. Anita Agarwal, Non-applicants/ Respondents in person are present alongwith their Advocates.

3] Parties to the consent terms admit that they have signed the consent terms and also admit the contents of the consent terms.

4] Learned counsel submit that the Application filed for condonation of delay be disposed of in terms of consent terms.

Sgtap

5] Accordingly, Delay condonation Application as well as Restoration Application stand disposed of in terms of consent terms.

6] Learned Advocate Mr. Abir Patel submits that the Promoter has deposited Rs.54,59,381/- towards compliance of proviso to Section 43(5) of RERA. The consent terms discloses that the Allottees are entitled to receive Rs.20,00,000/- from and out of the said deposit and balance amount of Rs.34,59,381/- alongwith the entire interest accrued on the deposit of the whole amount is to be given to the Promoter.

7] In view of this submission, the Registry is directed to pay Rs.20,00,000/- to Allottees out of the deposit of the amount. The Registry is further directed to pay Rs.34,59,381/- alongwith the entire interest accrued on the deposit to Promoter as per rules.


(DR. K. SHIVAJI)

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(SHRIRAM. R. JAGTAP)