

**BEFORE THE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

**M.A. No. 129/23 (Withdrawal of Amt.)
In
38) Appeal No. AT006000000052842/20 (D.)**

Vinay P. Singh & Anr. ...Applicants

V/s.

Rushi Builders & Developers ...Non-applicant

Alongwith

**M.A. No. 130/23 (Withdrawal of Amt.)
In
39) Appeal No. AT006000000052843/20 (D.)**

Vijay C. Bakane & Anr. ...Applicants

V/s.

Rushi Builders & Developers ...Non-applicant

Adv. Mr. Sunil Kewalramani for Applicants

Adv. Mr. Pranav Khatkul for Non-applicant

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

DATE : 23rd April, 2024

(THROUGH VIDEO CONFERENCE)

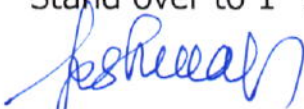
1] Advocate Mr. Sunil Kewalramani submits that if the second Appeal preferred by Promoter is allowed, the Applicants/ Allottees will refund the amount with interest to Promoter and to that effect, Applicants/ Allottees are ready to furnish undertaking.



2] In view of this submission, matters are adjourned for furnishing undertaking by the Allottees and thereafter application moved by the Allottees for refund of amount deposited by the Promoter will be considered.

3] Learned Advocate Mr. Sunil Kewalramani further submits that though the second Appeal pending before the Hon'ble High Court but there is no stay to the Order passed by this Tribunal in the first Appeal and therefore there is no impediment in allowing the Application filed by the Allottees for refund of amount. In view of this submission, matters are adjourned for furnishing the undertaking by Applicants/allottees.

4] Stand over to 1st July, 2024 for further consideration.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP)