

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**MISC. APPLICATION NO. 723 OF 2022 (Delay)
WITH
MISC. APPLICATION NO. 724 OF 2022 (Stay)
WITH
MISC. APPLICATION NO. 220 OF 2024
(withdrawal of appeal)
IN
APPEAL NO. AT006000000053310 OF 2021**

Rajyog Enterprises

... Applicant/Appellant

-VS-

Govind Sharma & Anr.

... Non-applicants/Respondents

Mr. Krishna Agarwal, Advocate for Applicant.

None for Non-applicants.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 01st APRIL, 2024

(THROUGH VIDEO CONFERENCE)

None for Non-applicants.

2] Mr. Krishna Agarwal, learned counsel for Applicant joined the conference and upon instructions submits that Applicant/appellant has filed Misc. Application No.220/2024 seeking to withdraw the appeal.

3] He further submits that there is delay of only 82 days in filing of the appeal and the reply has not been filed.

4] In view of the facts and circumstances of the case and in the interest of justice, more particularly Applicant is seeking to withdraw the



appeal, delay in filing of the captioned appeal deserves to be allowed.

5] Accordingly, Misc. Application No.723/2022 is allowed. Delay is condoned.

6] No costs.

IN APPEAL NO. AT006000000053310 OF 2021

Learned counsel for parties joined the conference.


2] By filing Misc. Application No.220/2024, learned counsel for Appellant upon instructions seeks to withdraw the appeal simplicitor and to withdraw the pre-deposit made by the Appellant towards the Proviso to Section 43(5).

3] Being withdrawn, the captioned appeal stands disposed of as withdrawn simplicitor.

4] In view of above, pending Misc. Application will not survive. Hence, stands disposed of.

5] No costs.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP, J.)