

**BEFORE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

19] M. A. No. 572/22 (Stay)
In
APPEAL NO. AT006000000063811/22

Nirav Kirtikumar Salot & Anr. ... Appellants

V/s.

Better Builders & Infrastructure Pvt. Ltd. & Anr. ... Respondents

ALONGWITH
20] M. A. No. 573/22 (Stay)
In
APPEAL NO. AT006000000063812/22

Mohnish Saraswat ... Appellant

V/s.

Better Builders & Infrastructure Pvt. Ltd. & Anr. ... Respondents

ALONGWITH
21] M. A. No. 574/22 (Stay)
In
APPEAL NO. AT006000000063813/22

Siddhi Tushar Udani & Ors. ... Appellants

V/s.

Better Builders & Infrastructure Pvt. Ltd. & Anr. ... Respondents

ALONGWITH
22] M. A. No. 576/22 (Stay)
In
APPEAL NO. AT006000000063816/22

Subhash S. Suriya & Anr. ... Appellants



V/s.

Better Builders & Infrastructure Pvt. Ltd. & Anr. ... Respondents

Adv. Mr. Satish Dedhia for Appellants
Adv. for Respondents is absent.

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

DATE : 19th March, 2024

(THROUGH VIDEO CONFERENCE)

Advocate Mr. Satish Dedhia submits that parties to Appeal are arrived at compromise and they have executed consent terms and filed the same. He further submits that Appellants are present.

Advocate for Respondents is absent.

Sr. No. 19 (Appeal No. 63811/2022)

Mr. Shamkumar Bali, Director, of Respondent No. 1 is present. However, Advocate for Respondent No. 1 is absent to identify Mr. Shamkumar Bali.

Mr. Shirish Mehta one of the signatories of consent terms is present. He is also one of the Appellants. He do admit the contents of consent terms. He further submits that Mr. Nirav Salot co-purchaser has also signed the consent terms. Advocate Mr. Satish Dedhia submits that matter be kept back for verification of Mr. Nirav Salot one of the Appellants. Matter is kept back.



Later on Mr. Nirav Salot appears and submits that he has signed consent terms and also admits contents of consent terms.

Stand over to 22nd March, 2024 for verification of contents of consent terms by Respondent No. 1.

Learned Advocate Mr. Satish Dedhia further submits that the Appellants do not want to proceed with Respondent No. 2 and they have filed application for deletion of Respondent No. 2. The Application is signed by Appellants. In view of this submission Application is allowed. Respondent No. 2 is deleted from the array of Respondents.

Sr. No. 20 (Appeal No. 63812/2022)

Learned Advocate Mr. Satish Dedhia for Appellants is present. None for Respondents.

Advocate Mr. Satish Dedhia submits that the parties to the Appeal arrived at a compromise. They have also executed consent terms. He further submits that parties have filed consent terms on record. Mr. Shailendra Saraswat, power of attorney holder of Appellant is present. He is identified by Advocate Mr. Satish Dedhia. He submits that he has signed consent terms and also he admits the contents of consent terms.

One Mr. Shyam claims that he is Director of Respondent No. 1. However, his Lawyer is absent.

Advocate Mr. Satish Dedhia further submits that the Appellant has filed



Application for deletion of Respondent No. 2. In view of this submission Application is allowed. Accordingly, Respondent No. 2 is deleted from the array of Respondents.

Stand over to 22nd March, 2024 for verification of contents of consent terms by Respondent No. 1.

Sr. No. 21 (Appeal No. 63813/2022)

Advocate Mr. Satish Dedhia for Appellant is present. Advocate for Respondent No. 1 is absent. Advocate Mr. Satish Dedhia submits that parties have arrived at compromise and they have executed consent terms. They also filed consent terms on record.

Mr. Tushan Udani one of the Appellants is present. He is also power of attorney holder of rest of the Appellants. He submits that he has signed the consent terms and also admits the content of consent terms. One Mr. Shyam has appeared and claims that he is Director of Respondent No. 1. However, his lawyer is not present to identify him. Advocate Mr. Satish Dedhia further submits that Appellants have filed Application for deletion of Respondent No. 2 on the ground of settlement. In view of this submission Application is allowed. Respondent No. 2 is deleted from the array of Respondents.

Stand over to 22nd March, 2024 for verification of contents of consent terms by Respondent No. 1.

Sr. No. 22 (Appeal No. 63816/2022)

Advocate Mr. Satish Dedhia for Appellants is present. None for the



Respondents. Advocate Mr. Satish Dedhia seeks time to file documents on record.

Stand over to 1st July, 2024 for completion of pleadings.


(DR. K. SHIVAJI)

SPK/ 19-22


(SHRIRAM. R. JAGTAP)