

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**M.A. No. 510/22 (Stay)  
IN  
APPEAL NO. AT006000000073857/22**

Rare Townships P. Ltd.

... Appellant

-VS-

Kaumudi Sagar Oak & Anr.

... Respondents

*Mr. Rubin Vakil, Advocate for Appellant a/w Ms. Asma Khopekar,  
Authorized Representative of the Appellant company.  
Mr. Amit Mishra, Advocate for Respondent a/w Mr. Sagar Oak Respondent  
no.2-in-person.*

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

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

**DATE : 20<sup>th</sup> DECEMBER, 2023**

**(THROUGH VIDEO CONFERENCE)**

Learned counsel for parties along with Ms. Asma Khopekar, Authorized Representative of the Appellant company and Respondent no. 2, Mr. Sagar Oak, in-person for himself and on behalf of Respondent no. 1 joined the conference and jointly submit that the controversies in the captioned appeal have been amicably settled and the consent terms have also been executed, exchanged, and filed in the Tribunal. Parties confirm that the consent terms have been executed without any coercion.

2. Respondent no. 2 in-person submits according to the consent terms, Respondents/Allottees are entitled for refund of Rs.1,35,03,047/- within a period of 3 working days from the date of receipt of the money from the



Tribunal by Appellant/Promoter from out of the pre-deposit made by the Appellants towards the proviso to section 43(5) of the 2016 Act.

3. Learned counsel for parties further submits that the Appellant/Promoter is entitled to withdraw an amount of Rs.1,53,76,403/- along with accrued interest if any, out of the pre-deposit made by the Appellant/Promoter towards the compliance of the proviso to section 43(5) of the 2016 Act.
4. In view of consent terms already filed and circulated and the disputes being already settled amicably, learned counsel for Appellant seeks permission of the Tribunal to dispose of the appeal in terms of the consent terms.
5. The signatures of the respective parties are confirmed by the parties. Accordingly, the consent terms are accepted and verified and are taken on record.
6. Accordingly, appeal stands disposed of in terms of the consent terms.
7. No costs.
8. In view of disposal of appeal as above, pending Misc. Applications will not survive. Hence, disposed of.
9. In view of the consent terms, Appellant is permitted to withdraw the amount of Rs.1,53,76,403/- along with accrued interest if any, as and when the request is made in the Tribunal.



10. Ld. Registrar is directed to allow the withdrawal of this amount by Appellant on receipt of the application.

  
(DR. K. SHIVAJI)

  
(SHRIRAM. R. JAGTAP)

MS/-