

Nalawade

BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL

MUMBAI

MISC. APPLICATION NO. 126 OF 2023 [Delay]

IN

APPEAL NO. AT006000000093923 OF 2022

Mr. Harsha Pai

... Applicant

-VS-

Mayfair Maru Developers

... Non-applicant

Ms. Kamini Pansare, Advocate for Applicant a/w. Mr. Harsha Pai, Applicant-in-person.

None for Non-applicant.

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

DATE : 05th JANUARY, 2024

(THROUGH VIDEO CONFERENCE)

None for Non-applicant.

MISC. APPLICATION NO. 126 OF 2023

Learned counsel for Applicant upon instructions submits that delay of four days has happened in filing appeal, is entirely due to delay in courier service and accordingly, urged that delay in filing captioned appeal be condoned.

- 2] In view of the submissions made as above, delay is condoned.
- 3] Misc. Application No.126/2023 is allowed.
- 4] No cost.



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Ms. Kamini Pansare, learned counsel for Appellant along with Mr. Harsha Pai, Appellant-in-person joined the conference and submits that the entire dispute has been amicably settled and settlement agreement has also been signed, executed, filed and exchanged. As such, the execution of the settlement agreement has also been started by payment of the first instalment.

3] In view of the amicable settlement, learned counsel for Appellant along with Appellant-in-person confirms that the settlement agreement has been signed with their free will, verified and confirmed signature thereon.

4] Appellant further seeks to withdraw the appeal simplicitor, in view of the amicable settlement and settlement agreement and submits that application for withdrawal of captioned appeal has also been filed along with settlement agreement.

5] In view of above, appeal is allowed to be withdrawn, with liberty to Appellant to take appropriate steps as and when occasion arise.

6] Captioned appeal is accordingly disposed of as withdrawn and settled.


(DR. K. SHIVAJI)


(SHRIRAM R. JAGTAP, J.)