

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI  
27] MISC. APPLICATION No. 441 OF 2022 (Stay)  
WITH  
MISC. APPLICATION NO. 160 OF 2023 (Amendment)  
WITH  
MISC. APPLICATION NO. 480 OF 2023 (Extension of Time)  
IN  
APPEAL NO. AT006000000053696 OF 2022**

Ashwamedh Builders and Developers & 2 Ors. ... Appellants

-VS-

Maharashtra Real Estate Regulatory  
Authority & 17 Ors. ... Respondents

*Adv. Karshil Shah for Appellants.*

*Adv. Karan Jain for Respondent No. 14.*

*Adv. Rebicca Almeida for Respondent No. 18.*

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

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

**DATE : 07<sup>th</sup> August, 2023**

**(THROUGH VIDEO CONFERENCE)**

Adv. Karshil Shah for Appellants, Adv. Karan Jain for Respondent No. 14 and Adv. Rebicca Almeida for Respondent No. 18 have joined the video conference.

2] Adv. Karshil Shah seeks time to deposit the amount as ordered by this Tribunal and Applicants have moved application bearing no. 480 of 2023 for the same. Considering the grounds and in the interest of justice last chance is granted.

3] The Applicants/Appellants are directed to deposit the entire

*S. Jagtap*

amount as ordered by learned Authority on or before next date, failing which the Appeal will be summarily dismissed for want of compliance.

4] Learned Adv. Karshil Shah submits that compliance of Section 43(5) is only in respect Respondent Nos. 4 and 14. So far as the rest of the Respondents are concerned, they have already settled the matter with them.

5] Adv. Rebicca Almeida submits that she will take instructions from her client whether matter is settled between Respondent No. 18 and Appellants.

6] Adv. Karshil Shah submits that the Appellants have filed summary of consent terms on record.

7] A perusal for roznama dated 29<sup>th</sup> March 2023 would show that Appellants and Respondents Nos. 2, 5, 6, 9, 10, 12, 14 and 16 have filed consent terms on record, consent terms came to be verified by this tribunal. Pursuant to order dated 29<sup>th</sup> March, 2023, Appellants have produced summary of consent terms on record. The roznama further shows that authorized representative of Appellants and these Respondents confirmed that matter has been amicably settled between them. Therefore, we are of the view that there is no impediment in disposing of instant appeal in the light of consent terms. Accordingly, appeal stands disposed of with respect to Respondent Nos. 2, 5, 6, 9, 10, 12, 14 and 16.

8] Learned Adv. Karshil Shah further submits that matter has been amicably settled between Appellants and Respondents Nos. 3, 7, 8, 11, 15 and 17.

9] Pursuant to settlement the Appellants do not want to proceed with appeal against these Respondents and the Appellants have filed application for withdrawal of appeal against these Respondents. Appeal

*Sg*

stands disposed of as withdrawn against Respondent Nos. 3, 7, 8, 11, 15 and 17.

10] Stand over to 4<sup>th</sup> September, 2023 for compliance of Section 43(5).

  
(DR. K. SHIVAJI)

ARP

  
(SHRIRAM. R. JAGTAP, J.)