

**BEFORE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

32] Ex. No. 72/23

In

AT006000000053186 (D.)

Shakshi Agrawal & Anr.

... Applicants

V/s.

Raj Arcades & Enclave Pvt. Ltd.

...Non-applicant

Alongwith

33] Ex. No. 73/23

In

AT006000000053011 (D.)

Omprakash Kariwala

... Applicant

V/s.

Raj Arcades & Enclave Pvt. Ltd.

...Non-applicant

CA Mr. Dilip Kumar Agrawal for Applicant/s.

None for Non-applicant.

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

DATE : 30th April, 2024

(THROUGH VIDEO CONFERENCE)

Ex. No. 73/23 In AT006000000053011 (D.)

1] CA Mr. Dilip Kumar Agrawal submits that the Developer has neither handed over the possession of the subject flats to Allottees nor has paid interest on the paid amount despite Order of the learned Authority and this tribunal. Therefore, the Registry is directed to issue warrant for recovery of amount against the judgment debtor.

2] CA Mr. Dilip Kumar Agarwal further submits that the project has received Occupancy Certificate on 11th April, 2018. Despite this, the judgment debtor has not handed over the possession of the subject



flat to Allottee.

3] The Registry is directed to issue warrant for possession of the subject flat directing the concerned Authority to visit the site and handover the possession of the subject flat to Allottee.

4] Stand over to 8th July, 2024 for further consideration.

Ex. No. 72/23 In AT006000000053186 (D.)

1] CA Mr. Dilip Kumar Agrawal submits that Allottee has sold the subject flat to third party and they are pressing this execution application only for recovery of interest amount.

2] Therefore, the Registry is directed to issue warrant for recovery of amount to judgment debtor.

3] Stand over to 8th July, 2024 for further consideration.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP)

MBT