

**BEFORE THE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL,
MUMBAI**

**31] MISC. APPLICATION NO. 617/2023 (under sections 64 & 69)
EX.NO. 3/2020**

IN

APPEAL NO. AT006000000010965 of 2019

Mr. Raymond Alies Nunes

... Applicant

Vs

Westin Developers Pvt. Ltd.

... Non-applicant

Mr. Raymond Ales Nunes for Applicant-in-person.

None for Non-Applicant.

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

DATE : 04th October, 2023.

(THROUGH VIDEO CONFERENCING)

The applicant submits that he has filed Misc. Application No.617/2023 and prayed to initiate action against the directors of Non-Applicants as per the provisions of under sections 64 and 69 of RERA Act 2016.


2. A perusal of last Roznama would show that applicant had admitted that he has received interest on the amount paid by him from non-applicant till June 2023. Therefore, we are of view that the question of initiation action as sought by applicant in Misc. Application no.617/2023 does not arise. Accordingly, Misc. Application No. 617/2023 is rejected.

3. A Perusal of order passed by this Tribunal in appeal No. 10965 would show that promoter was directed to pay interest to allottee that is present

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applicant from 01-07-2017 till the actual date of possession on the amount paid by allottee.

4. We would like to reiterate that on the last date the applicant himself had admitted that he has received interest on the amount paid by him from non-applicant till June 2023. In view of this statement instant execution application stands disposed off with a liberty that the applicant can file fresh execution application for recovery of interest from 1st July 2023 till he receives the possession of the subject flat. Accordingly, execution application no. 03/2020 stands disposed of.


(DR. K. SHIVAJI)

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(SHRIRAM R. JAGTAP)