

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**MISC. APPLICATION NO. 983 OF 2022 (Stay)
WITH
MISC. APPLICATION NO. 582 OF 2023
(withdrawal of appeal)
IN
APPEAL NO. AT005000000133952**

M/s. Ascent Constructions Pvt. Ltd.

... Appellant

-VS-

Mr. Pijush Biswas & Anr.

... Respondents

*Mr. Anwar Landge, Advocate for Appellant a/w. Mr. Kukhtar Patel,
representative of Appellant.*

*Ms. Leena Kaulgekar a/w. Mr. Pijush Biswas, Respondent No.1 in-person
for himself and Respondent No.2.*

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

DATE : 05th OCTOBER, 2023

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference and confirms that disputes have been amicably settled, consent terms have also been executed, filed and exchanged.

2] In view of the consent terms, parties seek to dispose of the matter.

3] In view of above, captioned appeal stands disposed of as



settled.

4] No cost.

5] Learned counsel for parties further submits that in view of para 2(b) of the consent terms, the amount of ₹ 14,15,314/- deposited towards the compliance of the Proviso to Section 43 (5) of the Act of 2016 be allowed to be withdrawn by Respondents.

6] Perused consent terms.

7] In view of the consent terms and submissions of learned counsel for the parties, Respondents are hereby permitted to withdraw amount of ₹ 14,15,314/- along with accrued interest, if any.

8] Registry to release this amount as and when the request is made along with accrued interest, if any.

9] In view of the disposal of appeal as above, pending Misc. Application will not survive. Accordingly, stands disposed of.

10. No costs.

11. In view of the provisions of Section 44(4) of the Act of 2016, copies of the order shall be sent to the parties and to MahaRERA.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP, J.)