

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

APPEAL NO. AT006000000134173

Mr. Sanjiv Kochhar

... Appellant

-VS-

Sai Siddhant Developers

... Respondent

Ms. Aashvi Pandya, Advocate for Appellant.

Ms. Aksha Huda, Advocate for Respondent.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 12th SEPTEMBER, 2023

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference.

2] Appeal is listed for pronouncement of judgment today.

3] By separate judgment, following order is pronounced;

ORDER

- 1]** APPEAL No.AT006000000134173 of 2022 is partly allowed.
- 2]** Impugned Order dated 9th November 2022 passed in Complaint No.CC0060000000196042 is set aside.
- 3]** The respondent/developer shall refund the amount paid by the appellant/allottee with interest at the rate 2% above as per State Bank of India's marginal cost of lending rate from the dates of payment of the said amount till realization of the entire amount.



- 4] The charge of the amount shall remain on the respective flat till realization of above amount.
- 5] The developer is directed to pay costs of Rs.20,000/- to the appellant/allottee.
- 6] A copy of this judgment be communicated to the learned Authority and parties as per Section 44(4) of RERA, 2016.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP, J.)