

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

M.A. No. 620/23 (Withdrawal of Amt.)

IN

APPEAL NO. AT006000000021140/19 (D.)

Mrs. Shraddha Naik & Anr.

... Applicants

-VS-

Sanvo Resorts Pvt. Ltd

... Non-applicant

Mr. Sangeeth Narayanan, Advocate for Applicants.

Mr. Prasanna S. Tare, Advocate for Non-applicant.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 27th OCTOBER, 2023

(THROUGH VIDEO CONFERENCE)

By this praecipe, Applicants are seeking withdrawal of the amount of Rs. 36,73,642/-, which was pre-deposited towards the compliance of proviso to the Section 43(5) of the Act of 2016 in the appeal filed by Non-applicant/Promoter in Appeal No. 21140/19.

- 2) Learned counsel for parties jointly submit that in view of amicable settlement, Appeal No. 154462 filed by Promoter, has already been withdrawn based on MOU duly signed between the parties. Whereas, in terms of the Clause No. 3 of the MOU, Promoter is liable to pay Rs. 72,27,762/-.
- 3) They upon instructions further submit that against this amount to be paid by Non-applicant/promoter to Applicant, pre-deposit

amount of Rs.36,73,642/- made in the Tribunal along with accrued interest, if any be allowed to be withdrawn by the Applicant based on the purshis filed by the Applicant.

- 4) In view of amicable settlement and the appeal having already been withdrawn, the Captioned Misc. Application No. 620/2023 is allowed.
- 5) Accordingly, Applicants are allowed to withdraw the said amount along with accrued interest, if any as and when ,request is made to the Registry.
- 6) Praeipce is disposed of on above terms.
- 7) No costs.
- 8) In view of the provision of Section 44(4) of the Act, 2016, copies of the order shall be sent to the parties and to MahaRERA.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP)

MS/-