

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

**M.A. No. 394/23 (Withdrawal of Amt.)**

**In**

**APPEAL NO. AT006000000041903 OF 2023 (D.)**

Mr. Rohan Kisan Patil & Anr.

.. Applicant

-VS-

Neelkamal Realtors Suburban Pvt. Ltd.

.. Non-applicant

*Adv. Mr. Abhishek Tripathi for Applicant*

*Adv. Mr. Sushant Chavan for Non-applicant*

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

**DATE : 10<sup>th</sup> October, 2023**

**(THROUGH VIDEO CONFERENCING)**

**Misc. Application No. 394/2023 in AT006000000041903 (D.) of  
2023**

Advocate Mr. Sushant Chavan has stiff opposition to this Misc. Application. However, it is not in dispute that the second Appeal preferred by Non-applicant has been dismissed by the Hon'ble Bombay High Court. Thus, there is no stay to the Order passed by this Tribunal.

2] Therefore, we are of the view that there is no impediment in allowing the present Misc. Application.

*S. J. Patil*

- 3] Accordingly, Misc. Application No. 394/2023 is allowed.
- 4] The Registry is directed to release the amount alongwith accrued interest to the Applicant deposited by the Non-applicant/ Promoter in compliance of proviso to Section 43(5) of RERA.

  
(DR. K. SHIVAJI)

MBT/24

  
(SHRIRAM R. JAGTAP)