

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

**M. A. No. 271/2023 (Stay)**

**In**

**Appeal No. AT006000000052823/2020**

Rajesh R. Mehta

... Appellant

V/s.

Indiabulls Properties Pvt. Ltd.

... Respondent

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*Adv. Ms. Rupali Padgulekar i/b CA Mr. R. S. Prabhu for Appellant*

*Adv. Mr. Abir Patel for Respondent No.1*

*None for Respondent No.2*

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

**DATE : 17<sup>th</sup> October, 2023**

**(THROUGH VIDEO CONFERENCING)**

Advocate Mr. Abir Patel submits that as per consent terms the Respondent No.1 has paid the amount to Appellant as well as to the Respondent No.2 and thereby honored the consent terms.

2] Record shows that on the last date Advocate Mr. Indrajeet Hingane who is appearing for Respondent No.2 had submitted that he will take instructions from Respondent No.2 and will make the submissions whether Respondent No.2 has received the amount. Despite this, today nobody appears for Respondent No.2.

3] The progress of the matter is at a standstill because of Respondent No.2.

4] Despite having received the amount from Promoter against the satisfaction of loan the Respondent No.2 is not issuing No Objection Certificate to borrower which may result in affecting CIBIL score of Appellant/ Allottee.

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5] Therefore, the Registry is directed to issue Notice to Respondent No.2 to show cause as to why appropriate action shall not be taken against it.

6] Advocate Mr. Abir Patel submits that the Respondent No.1 will file affidavit showing the payments made by Respondent No.1 to Appellant as well as Respondent No.2.

7] Stand over to 15<sup>th</sup> December, 2023 for further consideration.

  
**(DR. K. SHIVAJI)**

  
**(SHRIRAM R. JAGTAP)**

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