

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

**MISC. APPLICATION NO. 273 OF 2022(Disl.of Assets.)  
EXECUTION APPLN. NO. 42 OF 2021**

**IN**

**APPEAL NO.AT006000000041888 OF 2019**

Sachin Gupte & Anr.

.. Applicants

-VS-

Nirmal Developers

.. Non-Applicant

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*Adv. Ms. Amita Chaware Toongar for Applicant.*

*Adv. Mr. Tushar Kadam for Non-Applicant.*

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

**DATE : 21<sup>st</sup> September, 2023.**


**(THROUGH VIDEO CONFERENCING)**

Adv. Ms. Amita Chaware Toongar submits that now the decretal amount comes to Rs.32.00 lakhs and out of which the applicant has received Rs.15.00 lakhs and requests to issue warrant for recovery of remaining amount.

2] The record shows that the parties to the Execution Application had arrived at compromise and filed consent terms on record, whereby the non-applicant agreed to pay Rs.25.00 lakhs to applicants. However, non-applicant failed to comply with consent terms. Therefore, the Registry is directed to issue warrant for recovery of Rs.17.00 lakhs against non-applicant.

*S. Jagtap*

3] Stand over to 28<sup>th</sup> November 2023 for further consideration.

  
(DR. K. SHIVAJI)

Dond

  
(SHRIRAM R. JAGTAP)