

MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL UNDER RERA Act

No.AT006000000000217

M/s. S.R. Shah Vala Associates
201, 2nd floor, Surya Kirti Heights, Sector 3
Building No.2, Wing H, HDIL Layout,
Chikkal Dongri, Virar (West),
Chikkal Dongri, Virar (West),
Palghar – 401202

.. Appellant/s

V/s.

Shri Sunil Fulkar
A/102 Manora Free Press Road
Nariman Point, Mumbai 400 021.

..Respondent/s

Adv. Pooja Gaikwad for the Appellant

Adv. Sachin Tidke for Respondent.

Sunil Fulkar the Respondent present.

CORAM :Hon'ble Shri K. U. CHANDIWAL, J.

Heard on : 2nd May, 2018

Dictated/Pronounced on: 2nd May, 2018

Transcribed on : 3rd May, 2018.


1. The Ld. Adv. for the appellant / Promoter agrees that the payment schedule as was directed on 19th April, 2018, and extended on 25th April, 2018, is not complied with by the Appellant / Promoter.
2. In this situation of the matter, and specific instructions to the appellant/promoter "Failure, without further reference the appeal shall be dismissed," follows the fate of the Appeal to turn in dismissal.
3. Today, the Ld. Adv. for the Appellant under an application on instruction has urged that the matter is being settled amicably with the respondent / allottee and hence the appellant Promoter has sought permission to withdraw the appeal.

:-ORDER:-

1. In the set of above facts, the appeal is disposed off on two counts 1) Non compliance of payment in terms of Sec. 43 (5) Proviso of RERA Act and 2) intention of the appellant to withdraw the appeal.
2. No costs.

Dictated and pronounced in open Court today.

Place: Mumbai
Dated: 3rd May, 2018


(K. U. CHANDIWAL, J.)
President,
Maharashtra Revenue Tribunal, Mumbai
& I/c. Maharashtra Real Estate
Appellate Tribunal, (MahaRERA),
Mumbai