

**MAHARASHTRA REAL ESTATE APPELLATE  
TRIBUNAL UNDER RERA ACT**

**(23)**

**No.AT006000000010477**

M/s. Calyx Estates & 2 Ors      .. Appellant/s

**V/s.**

Mr. Durvesh Ashok Raur

& 14 others      ..Respondent/s

CORAM :Hon'ble Shri K. U. CHANDIWAL, J.  
President, Maharashtra Revenue Tribunal,  
Mumbai

& I/c. Maharashtra Real Estate Appellate  
Tribunal under Maharashtra RERA Act

DATED:-4<sup>th</sup> September, 2018

**:- ORDER :-**

Called out at 4.15 PM

Adv. Nikita Jacob for the appellant.

Adv. Ganesh Misal for the Respondent.

Two Respondents present. Consent terms are signed by the parties. However Ld. Counsel for the Appellant / Promoter says that few of the Allottees are settled at Pune and they have not signed the consent terms but she has e-mail confirmation of settling the controversy.

The Ld. Counsel for all the Respondents has signed the consent terms. He confirms that matter is settled.

Joint Purshish / Application to enable disposal of Appeal and complaint taken on record, signed by respective Advocate.



In the light of amicable settlement, the Appeal is allowed to be withdrawn.

The Impugned Judgement and Order dated 26<sup>th</sup> December, 2017 in view of Out of Court settlement dated 1<sup>st</sup> September, 2018 between the parties to the appeal and complaint is also permitted to be withdrawn. The effect, operation and implementation of Complaint no. 005000000000022 of 2017 and the order under challenge 26<sup>th</sup> December, 2017 is by consent terminated. No costs in the appeal.

In the light of withdrawal of the appeal by the Promoter and as admittedly separate PDCs are issued consequently the amounts deposited pursuant to the order dated 7<sup>th</sup> August, 2018 with MahaRERA is allowed to be withdrawn by the Appellant. Authority is to comply.

The withdrawal by the appellant to be effective from 17<sup>th</sup> September, 2018.



Place: Mumbai (K. U. CHANDIWAL, J.)  
Dated: 4<sup>th</sup> September, 2018 President,  
Maharashtra Revenue Tribunal,  
Mumbai  
& I/c. Maharashtra Real Estate  
Appellate Tribunal, (MahaRERA),  
Mumbai