

# **MAHARASHTRA REAL ESTATE** **APPELLATE TRIBUNAL UNDER RERA Act**

**No.AT006000000000025**

Rakesh M. Agrawal  
8/73 Vijay Nagri Annex,  
Waghbil Naka, G.B. Road,  
Thane (W) 400 615

.. Appellant/s

**V/s.**

M/s.Nirmal Lifestyle Pvt. Ltd.  
Corporate Office, L.B.S. Marg,  
Mulund (W),  
Mumbai 400 080.

.. Respondent/s

CORAM :Hon'ble Shri K. U. CHANDIWAL, J.  
Heard on : 20th March, 2018  
Dictated/Pronounced on: 20th March, 2018  
Transcribed on : 21st March, 2018

## **-:ORAL JUDGMENT:-**

1. Heard finally.
2. The appellant / flat purchaser has questioned legality and correctness of order dt. 9<sup>th</sup> Jan. 2018. The Id. Counsel for respondent agreed that the statement was made before the Authority on 9<sup>th</sup> January, 2018 to repay the amount received from the Appellant / complainant within a period of 6 months.
3. Today, deliberation ensued between the parties, their advocates and ultimately it is resolved between the Appellant and the Respondent as under:
  - a) The Respondent shall pay Rs. 5,12,704/- received from the Appellant within a period of 6 months from the date of complaint.
  - b) The respondent / developer shall pay interest @ 10.6% from 17<sup>th</sup> October, 2017.


- c) The Respondent / developer shall pay total cost of Rs.70,000/- to the Appellant.
- d) The appellant has given in writing about cancellation and withdrawal from the project of the respondent.
- e) Separate cancellation letter will be signed within a week on receiving such format from the Respondent / developer.
- f) Till the entire payment is made, the appellant shall be entitled to retain original documents.

**:ORDER:**

- 1) In terms of above settlement, the Appeal no. **AT006000000000025** is disposed off.
- 2) No further costs.

Dictated and pronounced in open Court today.

Place: Mumbai  
Dated: 21st March, 2018

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