

**MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL**

**APPEAL NO. AT006000000010441**

M/r. Nilesh Managaldas Kanade ) ... Appellant/s.  
Vs. )  
M/s. Sardar Pramoters And Builders. )... Respondents

**CORAM : SUMANT M. KOLHE,(Member J.)**

**DATE : JANUARY 29, 2019.**

**Appeal Under Section 44 of RERA ACT 2016.**

**ORDER**

1. Mr. Nilesh Kanade, Appellant in person is present. Respondent and their advocate absent.
2. Appellant present. He produced copy of Memorandum of Understanding in which Respondent had stated that he will pay the amount of registration charges and stamp duty to the appellant as mentioned in the said MOU. Present Appeal is also filed for recovery of Registration charges and Stamp duty from the respondent.
3. Appellant has submitted application for withdrawal of this appeal in view of undertaking of the Respondent in MOU to pay the appellant Registration charges and Stamp duty. Appellant has sought permission to reserve his right of filing Appeal once again on the same ground and for recovery of Registration charges and Stamp duty in case Respondent failed to obey his undertaking regarding said amount as per MOU. In such circumstances, I allow the said application for withdrawal of appeal with permission to file fresh Appeal on the same grounds in respect of recovery of Registration charges and Stamp duty, in case respondent failed to pay the said amount as per his undertaking in MOU.

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4. Thus Appeal NO. 10441 stands disposed of as withdrawn with liberty to appellant to file fresh appeal on the same grounds and subject.

29-1-2019

*W/colle 29-1-19*  
**(SUMANT M. KOLHE)**  
**JUDICIAL MEMBER,**  
**Maharashtra Real Estate**  
**Appellate Tribunal,(MahaRERA)**  
**Mumbai.**