

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

**MISC. APPLICATION NO. 218 OF 2023 (Possession)
IN
APPEAL NO.AT006000000010437**

Mr. Saurabh Kesarwani & Anr. .. Appellants
-VS-
M/s Sheth Infraworld Pvt. Ltd. .. Respondent

**WITH
MISC. APPLICATION NO. 257 OF 2022 (Maintainability)
IN
APPEAL NO.AT006000000052594**

Mr. Saurabh Kesarwani & Anr. .. Appellants
-VS-
M/s Sheth Infraworld Pvt. Ltd. .. Respondent

*None for Appellants.
Adv. Mr. Manish Gala for Respondent.*

**CORAM : SHRIRAM R. JAGTAP, MEMBER (J) &
S.S. SANDHU, MEMBER (A)**

DATE : 20th April, 2023.

(THROUGH VIDEO CONFERENCING)

The record shows appellants and respondents have filed joint purshis contending that matters have been amicably settled between parties. The respondent-promoter has received balance consideration from the appellants, as a result thereof the respondent has handed over possession of the subject flat to appellants.

S. Jagtap

2] It further transpired that parties have fulfilled obligations as set out in the agreement for sale dated 1.12.2016 in mutual satisfaction of each other. It is worthy to note that the parties in both appeals are same. The record shows that on 19.4.2023 the appellants were present in appeal no.AT00600000052594 and they had submitted that they will file application for withdrawing appeal unconditionally in due course. Pursuant to the said submissions, today the appellants and respondent have filed joint purshis. It further transpired that the presence of appellants for withdrawing appeals stood dispensed with. Therefore, we are of the view that there is no impediment in allowing prayer made in this joint purshis.

3] Accordingly, both appeals stand dismissed as withdrawn. No costs. Pending Misc. Applications, if any, also stand disposed of.


(S.S. SANDHU)


(SHRIRAM R. JAGTAP)

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