

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

SECOND APPEAL NO. 436 OF 2022
WITH
INTERIM APPLICATION NO. 15389 OF 2023
WITH
INTERIM APPLICATION NO. 2487 OF 2023

Wadhwa Residency Pvt. Ltd. Mumbai 51 ..Appellant/Applicant.

v/s.

Bhavik Chandrakant Shah & Anr. ..Respondents

Mr. Abir Patel a/w. Lavina Bhargawa i/b. M/s. Wadia Gandhi & Co.for
the Appellant/Applicant.

Mr. Dharmesh Joshi a/w. Gulnar Khan , Ms. Akshita Vakharia for the
Respondent.

CORAM : ANUJA PRABHUDESSAI, J.
DATED : 9th NOVEMBER, 2023.

P.C.

1. The appellant has filed this appeal challenging the order dated 3.8.2021, whereby the Maharashtra Real Estate Appellate Tribunal, Mumbai had directed the Appellant to pay to the allottees interest @ State Bank of India's highest Marginal Cost Lending Rate plus 2% to Allottees w.e.f. 01.07.2018 till the date of obtaining Occupancy Certificate.

2. During the pendency of the appeal, the parties have entered into settlement. The consent terms are already filed on record. The parties

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have also identified their signatures and confirmed the contents of the consent terms. Being satisfied that the consent terms are signed as per their own will and volition the same were taken on record and marked “X” for identification. The order was not passed since the papers were not traceable.

3. Learned Counsel for the appellant has reconstructed the file as per the leave granted on 08.11.2023. Since the parties have now settled the dispute amicably as per the consent terms, the appeal stands disposed of as per the terms of the consent terms.

4. Pending application, if any, stands disposed of.

(ANUJA PRABHUDESSAI, J.)