

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.33 OF 2024
WITH
INTERIM APPLICATION NO.609 OF 2024
IN
SECOND APPEAL NO.33 OF 2024

Man Global Limited	Appellant/Applicant
V/S	
Ram Prakash Joukai	Respondent

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WITH
SECOND APPEAL NO.34 OF 2024
WITH
INTERIM APPLICATION NO.612 OF 2024
IN
SECOND APPEAL NO.34 OF 2024

Man Global Limited	Appellant/Applicant
V/S	
Ram Prakash Joukani	Respondent

Mr. Jairam Chandnani a/w Mr. M.A. Menon i/b M/s. Lexim Associates for the Appellant/Applicant in both SAs.

Mr. Sahil Nanavati and Mr. Dhiven Burante i/b M/s. Lexicon Law Partners for the Respondent in both SAs.

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CORAM: SANDEEP V. MARNE, J.
DATE : JANUARY 16, 2024.

P.C.:

1 Not on Board. Mentioned. Taken on Production Board.

2 The present Second Appeals arise out of challenge to the order dated 18 March 2021 passed by Maharashtra Real Estate Appellate

Tribunal, Mumbai (**Tribunal**) passed in Miscellaneous Application Nos.469 of 2020 and 470 of 2020 which were filed to seek stay of the attachment warrants during pendency of the First Appeals filed before the Tribunal. Since Tribunal directed the Appellant to comply with the order of deposit passed earlier on 16 December 2019 in the main substantive Appeals, nothing survived in Miscellaneous Application Nos.469 of 2020 and 470 of 2020.

3 In the main substantive Appeals challenging separate orders dated 18 March 2021 requiring Appellant to deposit 60% amount towards compliance with proviso to section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (**RERA Act**), this Court has recorded the statement made on behalf of the Appellant on 15 January 2024 that the Appellant is willing to deposit the amount directed by the Tribunal by order dated 16 December 2019.

4 Accordingly by an order passed by this Court on 15 January 2024 Second Appeal Nos.684 of 2023 and 685 of 2023 have already been disposed of. In the light of the orders passed by this Court on 15 January 2024, nothing would survive in the present Second Appeals and the Second Appeals are accordingly disposed of.

5 Since the Appellant has undertaken to deposit the amount towards compliance with proviso to section 43(5) of the RERA Act, the Tribunal

shall not dismiss the Appeals filed by the Appellant for a period of three weeks. Needless to say that failure on the part of the Appellant to deposit the amounts within stipulated time would result in dismissal of the Appeals filed before the Appellate Tribunal.

6 In view of the disposal of the Second Appeals, nothing would survive in the Interim Applications and the same are accordingly disposed of.

(SANDEEP V. MARNE, J.)

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