

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

**SECOND APPEAL NO. 684 OF 2023
WITH
INTERIM APPLICATION NO. 17548 OF 2023 (FOR STAY)**

Man Global Ltd.	...Appellant
V/s.	
Ram Prakash Joukani	Respondent

**ALONGWITH
SECOND APPEAL NO. 685 OF 2023
WITH
INTERIM APPLICATION NO. 17550 OF 2023 (FOR STAY)**

Man Global Ltd.	...Appellant
V/s.	
Bharat Prakash Joukani	.Respondent

Mr. Anil V. Anturkar, Senior Advocate with Mr. Jairam Chandnani, Mr. M.A. Menon, Mr. Avinash Undhare, for the Appellant.

Mr. Nimay Dave a/w. Mr. Sahil Nanavati a/w. Mr. Ajay Vajirani i/by. Lexicon Law Partners, for the Respondent.

CORAM : SANDEEP V. MARNE, J.

Dated : 15 January 2024.

P.C. :

Second Appeal No.684 of 2023 :

Second Appeal No. 685 of 2023 (Mentioned. Not on board) :

1. The challenge in the present Appeals is to the Order dated 18 March 2021 passed by the Maha RERA Appellate Tribunal. By the impugned orders, the Tribunal has directed the Appellant to deposit 60% of the amount as directed vide its Order dated 16 December 2019 towards compliance with the Proviso to Section 43(5) of the Real Estate (Regulation and Development) Act, 2016 (**RERA**). By Order dated 16 December 2019, the Tribunal had directed the Appellant to deposit 60% of the amount arising out of the order passed by the Member and Adjudicating Officer, Maha RERA, Mumbai.

2. Mr. Anturkar, the learned Senior Advocate appearing for the Appellants, after taking instructions from his clients, would submit that the Appellants are willing to deposit the amounts as directed by the Appellate Tribunal as a pre-condition for entertainment of Appeals under Proviso to Section 43(5) of the Act. According to Mr. Anturkar, the said amount would be Rs.46,23,648/- in each of the Appeals. He would submit that said amount would be deposited within a period of three weeks from today. In the light of the statement so made, nothing would survive in the present Appeals.

3. Recording the statement of Mr. Anturkar that the amount as directed by Maha RERA Appellate Tribunal by order dated 18

March 2021 shall be deposited within three weeks from today, the Appeals alongwith Interim Applications are **disposed of**.

4. Needless to say that in the event of failure on the part of the Appellant to deposit the aforesaid amount, the Appellate Tribunal will be at liberty to pass an order of dismissal of the Appeals. All contentions raised by the parties on merits are left open.

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SANDEEP V. MARNE, J.