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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 728 OF 2024**

M/s. Unique Shanti Developers LLP ... Appellant
vs.
Rajesh Vijay Dubey ... Respondent

Ms. Rubin Vakil, Mr. Manan Sharma for Appellant.
Mr. Ankit Ramgopal Tripathi i/b. Mr. Vinod Shukla for Respondent.

**CORAM : GAURI GODSE, J.
DATED : 25th NOVEMBER 2024**

ORDER:

1. Learned counsel for the appellant on instructions submits that the appellant is still agreeable to comply with the order dated 14th May 2019 and execute an agreement as per the order.
2. Learned counsel for the appellant has tendered a copy of the allotment letter dated 7th September 2013. The allotment letter is taken on record. He submits that in compliance with the order dated 14th May 2019, the appellant would execute the agreement. Learned counsel for the appellant on instructions further submits that in terms of the order dated 14th May 2019, the appellant is

agreeable to execute and register the agreement as per the allotment letter dated 7th September 2013. Learned counsel for the appellant clarifies that the allotment letter refers to the flat admeasuring 370 square feet. However, the flat which is ready to be handed over to the complainant is admeasuring 363 square feet. He therefore submits that the appellant would compensate the complainant for the difference in the area. Statements made on behalf of the appellant are accepted as an undertaking to this court.

3. Learned counsel for the respondent seeks time to take instructions on the aforesaid submissions made on behalf of the appellant. Two weeks time is granted to the learned counsel for the respondent to take instructions.

4. Stand over to 11th December 2024. To be listed under the caption for 'directions'.

(GAURI GODSE, J.)