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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 464 OF 2024
WITH
INTERIM APPLICATION NO. 11033 OF 2024
IN
SECOND APPEAL NO. 464 OF 2024
WITH
SECOND APPEAL NO. 465 OF 2024
WITH
INTERIM APPLICATION NO. 11034 OF 2024
IN
SECOND APPEAL NO. 465 OF 2024**

Veena Realcon Pvt Ltd through its ... Appellant/Applicant
Director Mr. Nikunj Haresh Sanghavi

vs.

Shivkumar Inamdar and Anr ... Respondents

Mr. Devashish Godbole a/w. Mr. Omkar Kulkarni for
Appellant/Applicant.

Mr. Siddharth Hattarkar a/w. Mr. Harshad Badbade i/b. Yash Legal
for the Respondents.

CORAM : GAURI GODSE, J.

DATED : 13th DECEMBER 2024

ORDER:

1. Since the soft copy is not legible, a hard copy of compilation

submitted by the learned counsel for the appellant, is taken on record in both the appeals.

2. Heard learned counsels for the parties. The second appeals are admitted on the following substantial questions of law:

I) Whether the findings recorded by the first appellate court on the purchaser's right to file an appeal challenging the order dated 26th October 2018 for enhancement of the period of delayed payment is sustainable in view of the terms and conditions of the affidavit-cum-undertaking dated 23rd July 2020 and accepting possession on 14th June 2020?

II) Whether the purchasers would be entitled to interest on delayed possession after October 2018, in view of the affidavit-cum-undertaking signed by the purchasers at the time of taking possession, pursuant to the order dated 14th February 2020, passed by the RERA Appellate Tribunal?

3. Learned advocate for the respondents waives notice.

4. Call for records and proceedings.

5. Printing is dispensed with.

6. Learned advocate for the appellant shall file private paper-book within a period of one year from today.

INTERIM APPLICATION NO. 11033 OF 2024 AND INTERIM APPLICATION NO. 11034 OF 2024

7. Rule on interim relief in terms of prayer clause (a) is made returnable after ten weeks, subject to the appellant depositing the amount as per the impugned order in this court within a period of four weeks, no coercive action to be taken against the appellant for implementing the impugned order.

(GAURI GODSE, J.)