

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

**Second Appeal No. 321 of 2020
IN
Interim Application No. 11571 of 2025**

M/s. Anshul Bosale Realty ... Appellant

V/s.

Sucheta Deshpande & Anr. ... Respondents

Mr. Mandar Soman	Advocate for Appellant.
Mr. Rahul Patil i/b Rakesh Sawant	Advocate for Respondent No 10.

CORAM : S.M. MODAK, J

DATE : 9th October 2025.

P.C. :

Mentioned out of turn.

2. Heard learned Advocate Shri Soman for the Appellant and learned Advocate for Respondent No.10. The names of Respondent Nos.1 to 9 are already deleted. The present Appellant and Respondent No.10 have settled the dispute and they have filed Consent Terms before the RERA Tribunal on 19th August 2024. The present Appellant is the Respondent before the RERA Tribunal

whereas present Appellant No.10 is one of the Appellant before the RERA Tribunal.

3. The RERA Appellate Tribunal as per the order dated 19th August 2024 have disposed of the said proceedings on the basis of consent terms. The copy of the order is produced. It is taken on record.

4. The present Appellant has deposited Rs.10,07,500/- in this Court. As per the Consent Terms Clause No.8, the present Appellant who has deposited the amount is entitled to withdraw the said amount, that is why the interim application is also filed. The present Respondent No.10 has already given consent for its withdrawal and today it is reiterated.

5. Mr. Soman submitted that inadvertently in prayer clause of the interim application, there is no reference of interest. It can certainly be considered. In view of that following order is passed:

ORDER

- (i) The Second Appeal is disposed of.
- (ii) In view of the Consent Terms filed before the RERA Appellate Tribunal, the interim application is allowed in terms of prayer clauses (a) and (b).
- (iii) The present Appellant is permitted to withdraw the amount of Rs.10,07,500/- along with the accrued

interest.

6. If there is issue about non-compliance of the consent terms, it can be agitated before the trial Court.

7. Refund of Court fee as per the Rules.

(S.M. MODAK, J.)