



Esha

IN THE HIGH COURT OF BOMBAY AT GOA

**SECOND APPEAL NO. 8 OF 2026
WITH
MISC. CIVIL APPLICATION NO. 146 OF 2026
IN
SECOND APPEAL NO. 8 OF 2026**

**M/S PRESCON HOMES PVT. LTD.,
THR. AUTH. REP. MRS. PUJA NAIK**

... APPELLANT

~ VERSUS ~

**JOSEPH BONAVENTURE RODRIGUES
& ANOTHER**

... RESPONDENTS

APPEARANCES:

for the Appellant

***Mr. Iftikhar Agha with Ms. Valencia
Fernandes***

for the Respondents

Mr. Shivam Fadte

CORAM : AMIT S. JAMSANDEKAR, JJ.

DATED : 24th MARCH 2026

P.C:

1. By the present Second Appeal under Section 58 of the Real Estate (Regulation and Development) Act, 2016 (RERA Act), the Appellant has

challenged the order passed by the Learned Maharashtra Real Estate Appellate Tribunal (**the Tribunal**) dated 18th February 2026 (**the impugned order**).

2. The original Appeal filed by the Appellant is pending before the Tribunal and, in fact, listed for hearing on 25th March 2026.
3. There are many issues raised on behalf of the Appellant in the present Appeal. On behalf of the Respondents, these issues are denied. The real controversy between the parties concerns the duration of the interest payable by the Appellant to the Respondents. It is submitted on behalf of the Appellant that the Appellant has complied with the order dated 5th March 2025 passed by the Tribunal, and the interest amount deposited by the Appellant is in accordance with the order dated 5th March 2025. Admittedly, the Appellant has paid the principal amount of Rs.42,52,500/- to the Respondents.
4. The Respondent No. 2, Mr. Joseph Rodrigues, is personally present in Court. He is 84 years old. He expressed his desire to put an end to the litigation and agreed that the Appeal pending before the Tribunal be heard expeditiously.
5. In view thereof, the Learned Counsel appearing for the parties, on instructions, submitted that the impugned order be set aside by consent and the Appeal be expedited, considering the age of the Respondent No. 2.

6. In view thereof, **the impugned order dated 18th February 2026 is set aside by consent.** The Tribunal is requested to take the pending Appeal No. AT07/00407/2025 for hearing and final disposal, and dispose of it within a period of 60 days from today.
7. The present **Appeal is disposed of** in the above terms.
8. Consequently, the **Miscellaneous Civil Application No. 146 of 2026 is also disposed of.**
9. No order as to cost.
10. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[AMIT S. JAMSANDEKAR, J.]