

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**Ex. NO. 09 OF 2023
IN
APPEAL NO. AT006000000010503**

Mr. Ganesh J. Gwade

... Applicant

-VS-

Assets Reality

... Non-applicant

*Adv. Mr. Deepak Jamsandekar for Applicant
None for the Non-applicant*

**CORAM : SHRI SHRIRAM R. JAGTAP, MEMBER (J) &
DR. K. SHIVAJI, MEMBER (A)**

DATE : 18th MARCH, 2024

(THROUGH VIDEO CONFERENCE)

Advocate Mr. Deepak Jamsandekar learned Counsel appearing for the Applicant submits that affidavit containing details of immovable property of the Non-applicant alongwith Bank account of the Non-applicant has also been filed vide page No. 270 to 274.

Advocate Mr. Jamsandekar further submits that not even single penny has been paid after the issuance of Judgment decree.

Perused.

Judgment decree of this Tribunal is dated 6th April 2021 and despite lapses of around 3 years since not even a single penny has been paid to the Applicant. Therefore, we are of the considered view that Non-applicant is willfully non-complying the Judgment decree despite having



sufficient means. Accordingly, registry to issue recovery warrant/s for attachment of immovable properties furnished by the Applicant and also issue directions to the ICICI Bank to freeze and attach Bank account as furnished by the Applicant on page No. 272.

Learned Counsel of the Applicant further seeks time to follow up recovery warrant and other directions.

Stand over to 11th June 2024 for further consideration.


(DR. K. SHIVAJI)


(SHRIRAM B. JAGTAP, J.)