

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

MISC. APPLICATION NO. 410 OF 2023 (Prod. of Docs.)
IN
APPEAL NO. AT006000000010859 OF 2019

Mr. Kushik Pandya & Anr.

... Appellants

-vs-

Mr. Rajesh Surti

... Respondent

C.A Mr. Ramesh Prabhu for Appellants.

Mr. Vikramjit Garewal, Advocate for Respondent.

CORAM : SHRI SHRIRAM R. JAGTAP, MEMBER (J) &

DR. K. SHIVAJI, MEMBER (A)

DATE : 05th APRIL, 2024

(THROUGH VIDEO CONFERENCE)

MISC. APPLICATION NO.410 OF 2023

By this Misc. Application, learned C.A. Mr. R. S. Prabhu appearing for Appellants submits that three documents mentioned in the application are absolutely required for effective adjudication to appreciate the root of the disputes involved in the captioned appeal.

2] Advocate Mr. Vikramjit Garewal vehemently opposed by submitting that these documents go beyond the relevance and scope of the appeal.

3] Perused.

4] Perusal of the compilation of documents attached with the



captioned Misc. Application reveals that these three documents are namely the copy of the agreement for sale dated 17.06.2013, copy of the authority letter issued by the allottees in the Respondent project and the copy of the society resolution.

5] Accordingly, we are of the view that Misc. Application deserves to be allowed, without prejudice to the rights and contentions of the parties and keeping their contentions open, with liberty to the parties to rebut the same about the relevancy, admissibility and the merit of the issue at the time of hearing.

6] Misc. Application No.410/2023 is allowed on above terms, without prejudice to the rights and contentions of the parties *inter alia* admissibility of the documents.

7] No costs.

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Parties confirm that written submissions have already been filed and exchanged.

2] Liberty to parties to file and circulate additional written submissions/ pleadings, if any within three weeks.

3] Stand over to 14th August 2024 for additional written submissions/ final hearing.


(DR. K. SHIVAJI)


(SHRIRAM R. JAGTAP, J.)