

**BEFORE MAHARASHTRA REAL ESTATE  
APPELLATE TRIBUNAL MUMBAI**

**24] APPEAL NO. AT006000000010978/2019**  
Navin Kumar ... Appellant

V/s.

Lucina Land Dev. Ltd. & Ors. ... Respondents

**25] M. A. No. 721/22 (Prod. Of Doc.)**  
**In**  
**APPEAL NO. AT0060000000041907/2019**

Mr. Nitin P. Parab & Anr. ... Appellants

V/s.

Lucina Land Dev. Ltd. & Ors. ... Respondents

**26] M. A. No. 964/22 (Challenging Order)**  
**In**  
**APPEAL NO. AT0060000000053243/2021**

Nilkunjia Bihari Pradhan ... Appellant

V/s.

Lucina Land Dev. Ltd. & Ors. ... Respondents

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*Adv. Mr. Satish Dedhia for Appellant*  
*Adv. Mr. Abir Patel for Respondents*

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

**DATE : 5<sup>th</sup> February, 2024**  
**(THROUGH VIDEO CONFERENCE)**



Advocate Mr. Satish Dedhia for Appellant. Ms. Sharmila Adyanthaya instructed by Adv. Mr. Abir Patel for Respondents.

2] Matter is kept back.

**Later on.**

Advocate Mr. Satish Dedhia for Appellant and Advocate Mr. Abir Patel for Respondents.

**Misc. Application No. 964/2022**

A perusal of record reveals that the Respondent had already filed similar two applications bearing no.919/22 and 920/22. After hearing both the parties, both these applications came to be disposed of by Order dated 07.12.2023. The facts, material issues and law point involved in this instant application no.964/22 are similar to the earlier applications which came to be disposed of by the Order dated 07.12.2023. Therefore, there is no impediment to dispose of this application also.

2] Hence, in view of the Order dated 07.12.2023 passed in Misc. Application Nos.919/22 and 920/22, this Misc. Application No.964/22 does not survive and accordingly stands rejected.

**In Appeal Nos. AT006000000010978/2019,  
AT0060000000041907/2019, AT0060000000053243/2021**

Advocate Mr. Abir Patel seeks time to file reply to Misc. Application No.721/2022.



2] Granted.

3] Learned Advocate Mr. Abir Patel further submits that being dissatisfied with the Order passed by this Tribunal on delay condonation filed in Appeal No.AT006000000010978/19, the Respondents have filed second Appeal in the Hon'ble High Court and the same has been admitted.

4] Advocate Mr. Abir Patel seeks liberty to file additional reply with regard to the documents.

5] Granted.

6] Stand over to 14<sup>th</sup> March, 2024 for filing additional reply with regard to the documents and issues, for hearing on Misc. Application No.721/22 and for final hearing.

  
(DR. K. SHIVAJI)

MBT/24-26

  
(SHRIRAM. R. JAGTAP)