

**BEFORE THE MAHARASHTRA REAL ESTATE  
APPELLATE TRIBUNAL, MUMBAI**

**MISC. APPLICATION NO. 43 OF 2023 (Delay)  
IN  
APPEAL NO.AT006000000144217 OF 2023**

D.N. Nagar Samrat Co.Op. Hsg. Ltd. .. Applicant

-VS-

Mr. Ashesh Garg & Manu Garg & Ors. .. Non-Applicants

**WITH  
MISC. APPLICATION NO. 44 OF 2023 (Delay)  
IN  
APPEAL NO.AT006000000144219 OF 2023**

D.N. Nagar Samrat Co.Op. Hsg. Ltd. .. Applicant

-VS-

Mr. Mukesh Sethia & Ors. .. Non-Applicants

**WITH  
MISC. APPLICATION NO. 45 OF 2023 (Delay)  
IN  
APPEAL NO.AT006000000144221 OF 2023**

D.N. Nagar Samrat Co.Op. Hsg. Ltd. .. Applicant

-VS-

Mrs. Parveen Shivananda & Ors. .. Non-Applicants

**WITH  
MISC. APPLICATION NO. 46 OF 2023 (Delay)  
IN  
APPEAL NO.AT006000000144222 OF 2023**

D.N. Nagar Samrat Co.Op. Hsg. Ltd. .. Applicant

-VS-

Ms. Manju Sood & Ors. .. Non-Applicants

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**WITH  
MISC. APPLICATION NO. 47 OF 2023 (Delay)  
IN  
APPEAL NO.AT006000000144224 OF 2023**

|  |                   |
|--|-------------------|
| D.N. Nagar Samrat Co.Op. Hsg. Ltd.                       | .. Applicant      |
| -VS-   |                   |
| Mrs. Ranjana V. Agarwal & Mr. Vivek<br>G. Agarwal & Ors. | .. Non-Applicants |

**WITH  
MISC. APPLICATION NO. 48 OF 2023 (Delay)  
IN  
APPEAL NO.AT006000000144225 OF 2023**

|                                    |                  |
|------------------------------------|------------------|
| D.N. Nagar Samrat Co.Op. Hsg. Ltd. | .. Applicant     |
| -VS-                               |                  |
| M/s Radical Developers Pvt. Ltd.   | .. Non-Applicant |

**WITH  
MISC. APPLICATION NO. 49 OF 2023 (Delay)  
IN  
APPEAL NO.AT006000000144226 OF 2023**

|                                    |                   |
|------------------------------------|-------------------|
| D.N. Nagar Samrat Co.Op. Hsg. Ltd. | .. Applicant      |
| -VS-                               |                   |
| Mr. Navin Jain & Ors.              | .. Non-Applicants |

**WITH  
MISC. APPLICATION NO. 50 OF 2023 (Delay)  
IN  
APPEAL NO.AT006000000144227 OF 2023**

|                                    |                  |
|------------------------------------|------------------|
| D.N. Nagar Samrat Co.Op. Hsg. Ltd. | .. Applicant     |
| -VS-                               |                  |
| M/s Flyrise Trading Pvt. Ltd.      | .. Non-Applicant |

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**WITH  
MISC. APPLICATION NO. 51 OF 2023 (Delay)  
IN  
APPEAL NO.AT006000000144228 OF 2023**

|  |                   |
|--|-------------------|
| D.N. Nagar Samrat Co.Op. Hsg. Ltd.                             | .. Applicant      |
| -VS-   |                   |
| Mrs. Sanghamitra R. Kalapathy & Shankar<br>R. Kalapathy & Ors. | .. Non-Applicants |

**WITH  
MISC. APPLICATION NO. 52 OF 2023 (Delay)  
IN  
APPEAL NO.AT006000000144230 OF 2023**

|                                    |                   |
|------------------------------------|-------------------|
| D.N. Nagar Samrat Co.Op. Hsg. Ltd. | .. Applicant      |
| -VS-                               |                   |
| Mr. Mohomed Morani & Ors.          | .. Non-Applicants |

**WITH  
MISC. APPLICATION NO. 53 OF 2023 (Delay)  
IN  
APPEAL NO.AT006000000144231 OF 2023**

|                                    |                  |
|------------------------------------|------------------|
| D.N. Nagar Samrat Co.Op. Hsg. Ltd. | .. Applicant     |
| -VS-                               |                  |
| M/s Cineyug World Wide             | .. Non-Applicant |

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*Adv. Mr. Manoj P. Mhatre for Appellant.  
Adv. Mr. Diwakar Gong for Respondent No.1 (except in Sr. No.10).  
None for Respondent Nos. 2 to 6.*

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

**DATE : 30<sup>th</sup> August, 2023.**

**(THROUGH VIDEO CONFERENCING)**




Adv. Mr. Mhatre submits that the applicant has filed rejoinder and served copy of the same to other side. Adv. Mr. Gong submits that the respondent no.1 has not received copy of the rejoinder. Adv. Mr. Mhatre undertakes to re-serve the same to other side.

**In Appeal No.AT006000000144222 of 2023-**

Adv. Mr. Mhatre submits that the applicant has served notice to other side. Apart from this the applicant has also intimated today's date of hearing to other side in this appeal.

A perusal of affidavit of service would show that the applicant has intimated today's date of hearing to other side. The tracking report clearly indicates service of notice on the non-applicants. Despite this, none appeared on behalf of non-applicants. However, in order to give fair and reasonable opportunity, matter is adjourned for appearance of the non-applicants. If non-applicants fail to appear on the next date of hearing, the delay condonation application will proceed ex parte against the non-applicants.

Stand over to 17<sup>th</sup> October 2023 for hearing on delay condonation applications.

  
(DR. K. SHIVAJI)

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(SHRIRAM R. JAGTAP)