

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**MISC. APPLICATION NO.26 OF 2024 [Stay]  
IN  
APPEAL NO. AT006000000154486 OF 2023**

Luxora Realtors Pvt. Ltd.

... Appellant

-VS-

Sapna Sanjay Agarwal & Ors.

... Respondents

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*Mr. Swanand Ganoo i/b. M/s. Khaitan & Co., Advocate for Appellant.  
Mr. Saurabh Oka h/f. Ms. Tanvi Kamat, Advocate for Respondent No1.  
None for Respondent Nos.2 and 3.*

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

**DR. K. SHIVAJI, MEMBER (A)**

**DATE : 14<sup>th</sup> MARCH, 2024**

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference.

2] Learned counsel for Appellant submits that Respondent Nos.2 and 3 have been once again <sup>been</sup> served and today's hearing date has also been intimated in writing and affidavit of service along with tangible supporting documents including postal receipts and tracking reports have been filed.

3] Perused.

4] Respondent Nos.2 and 3 have been duly served and intimated.



5] Absent.

6] In the interest of justice, issue notice to Respondent Nos.2 and 3 for appearance on the next date, failing which appropriate order will be passed on the next date.

7] Learned counsel for Respondent No.1 seeks time as the arguing counsel Ms. Tanvi Kamat could not appear on health grounds.

8] Learnd counsel for Appellant submits that order dated 17<sup>th</sup> April 2023 passed by MahaRERA has been challenged in this appeal, wherein appellant has not been directed for any monetary liabilities. Accordingly, there is no need for any deposits to be made towards the compliance of the Proviso to Section 43(5) of the Act of 2016.

9] Perused.

10] Para 21 of the impugned order dated 17<sup>th</sup> April 2023 shows direction for execution of the agreement for sale and there is no monetary liabilities getting accrued on account of the impugned order.

11] Learned counsel for Respondent No.1 seeks time to file and serve reply to Misc. Application No.26/2024.

12] Stand over to 02<sup>nd</sup> July 2024 for written submissions and reply of Respondent No.1 and appearance of Respondent Nos.2 and 3.

  
(DR. K. SHIVAJI)

  
(SHRIRAM. R. JAGTAP, J.)