

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**MISC. APPLICATION NO. 374 OF 2023 (Interim Relief)
IN
APPEAL NO. AT005000000154490 OF 2023**

Mr. Shreegopal Barasia

... Appellant

-VS-

M/s. Honest Shelters P. Ltd.

... Respondent

Mr. Anwar Landge, Advocate for Appellant.

Mr. Rubin Vakil i/b. Dhaval Vussonji & Associates, Advocate for Respondent.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 23rd FEBRUARY, 2024

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference.

2] By a separate detail order following order is passed: -

OPERATIVE ORDER

(a) *Captioned Misc. Application NO.374/23 is partly allowed.*

(b) *Non-applicant is directed to maintain status quo with regard to the subject booked flat in the said project and non-applicant is further prohibited by way of injunction from creating any third party rights over the said booked one flat during the pendency of the captioned appeal by keeping all the rights and contentions of the parties open*

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with liberty to the parties to rebut the same on merits, to be heard and adjudicated at the time of final hearing/

(c) *No order as to costs.*

(d) *In view of the provisions of Section 44(4) of the Act, a copy of the order be sent to the parties and MahaRERA.*

3] At this stage, M/s. Honest Shelters Pvt. Ltd. pressed for the stay of the captioned order for three weeks.

4] Advocate Mr. Anwar Landge vehemently it.

5] After hearing the parties, we are of the considered view that there is no impediment if the order is stayed for three weeks.

6] In the interest of justice, captioned order is stayed for three weeks.

In APPEAL NO. AT005000000154490 OF 2023

Learned counsel for parties joined the conference.

2] Learned counsel for Respondent seeks time to file reply.

3] Liberty to Appellant to file rejoinder, if any, only limited to the new points/fresh contentions, if any in the reply.

4] Stand over to 03rd May 2024 for completion of pleadings.


(DR. K. SHIVAJI)


(SHRIRAM R. JAGTAP, J.)