

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**MISC. APPLICATION NO. 679 OF 2023 (Stay)
IN
APPEAL NO. AT006000000154557 OF 2023**

M/s. Shruti Constructions

... Appellant

versus

Mr. Shashikant D. Suryawanshi & Anr.

... Respondents

Mr. Nilesh Borate, Advocate for Appellant.

Mr. Shyam B. Mohite, Advocate for Respondents.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 27th FEBRUARY, 2024

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference.

2] Learned counsel for Appellant confirms that the Appellant has complied with the Provis to Section 43(5) of the Act of 2016 pursuant to the order of this Tribunal and the compliance report has already been served to the other side.

3] Learned counsel for Respondents confirms the same and seeks one-week time to file and serve reply.

4] Learned counsel for Appellant further submits that in view of




the compliance of the Proviso, Misc. Application No.679/2023 be allowed to grant stay of the impugned order passed by MahaRERA .

5] In view of the compliance of the Proviso by pre-depositing the entire amount, we are of the considered view that there is no impediment if the order dated 09.05.2023 passed by MahaRERA is stayed during the pendency of the Appeal.

6] Accordingly, Misc. Application No.679/2023 is allowed and order dated 09.05.2023 passed by MahaRERA is stayed until further order.

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

8] Stand over to 14th June 2024 for completion of pleadings.


(DR. K. SHIVAJI)


(SHRIRAM R. JAGTAP, J.)