

**BEFORE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

APPEAL NO. AT006000000164611/23

M/s. Surana Construction (Chembur)

Through Partner

Mr. Surendra Surana

... Appellant

V/s.

Janvi Makhijani & Anr.

... Respondents

ALONGWITH

APPEAL NO. AT006000000164617/23

M/s. Surana Construction (Chembur)

Through Partner

Mr. Surendra Surana

... Appellant

V/s.

Sandeep Oberai & Anr.

... Respondents

ALONGWITH

APPEAL NO. AT006000000164618/23

M/s. Surana Construction (Chembur)

Through Partner

Mr. Surendra Surana

... Appellant

V/s.

Rahul M. Makhijani & Anr.

... Respondents

CA Mr. Ashwin Shah for Appellant

Mr. Manoj Makhijani for Respondent-in-person (Appeal No. AT006-164611, AT006-164618)

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

DR. K. SHIVAJI, MEMBER (A)

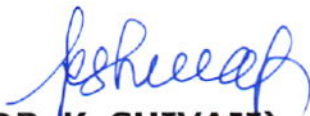
DATE : 21st March, 2024

(THROUGH VIDEO CONFERENCE)




1] CA Mr. Ashwin Shah submits that being aggrieved by the Order dated 30th October, 2023, the Promoter has filed second Appeal in the Hon'ble High Court and prayed to adjourn the matters for compliance of proviso to Section 43(5) of RERA Act, 2016.

2] Record reveals that by the Order dated 30th October, 2023, Appellant was directed to deposit entire amount as ordered by the learned Authority in compliance of proviso to Section 43(5) of RERA. The matter was adjourned for compliance of proviso to Section 43(5) of RERA to 23rd January, 2024. On 23rd January, 2024, the Appellant/Promoter sought time to comply with proviso to Section 43(5) of RERA. Despite this, now the Promoter is seeking further adjournment on the ground of filing second Appeal by him against the Order. It means the Promoter is just buying the time to comply with proviso to Section 43(5) of RERA. Since the Promoter has failed to comply with proviso to Section 43(5) of RERA, these Appeals stand dismissed for want of compliance.


(DR. K. SHIVAJI)

MBT/


(SHRIRAM. R. JAGTAP)