

**BEFORE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

**19] M.A. No. 199/24 (Delay)
Review No. 02/24 (To Order dtd. 30/10/2023 &
23/01/2024)**

**M.A. No. 309/2024 (Amendment)
in**

Appeal No. AT00600000164614/23

M/s. Surana Construction (Chembur) Through Partner Mr. Surendra
Surana ... Applicant

V/s.
Sandeep Oberai & Anr ...Non-Appllcant

Alongwith

**20] M.A. No. 200/24 (Delay)
Review No. 03/24 (To Order dtd. 23/01/2024)
M.A. No. 310/2024 (Amendment)**

in

Appeal No. AT00600000164615/23

M/s. Surana Construction (Chembur) Through Partner Mr. Surendra
Surana ... Applicant

V/s.

Mr. Rahul Makhijani & Anr. ...Non-Appllcant

Alongwith

**21] M.A. No. 198/24 (Delay)
Review No. 01/24 (To Order dtd. 30/10/2023 & 23/01/2024
of 43(5))**

**M.A. No. 311/2024 (Amendment)
in**

Appeal No. AT00600000164616/23

M/s. Surana Construction (Chembur) Through Partner Mr. Surendra
Surana ... Applicant

V/s.

Janvi Makhijani & Anr. ...Non-Appllcant


Mr. C.A. Ashwin Shah for Applicant

Adv. Mr. Yadunath Bharagavan & Manoj J. Makhijani for Non-Appllcant

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

**DATE : 08th May, 2024
(THROUGH VIDEO CONFERENCE)**

- 1] Learned C.A. submits that there are multiple complaints filed by the Appellant Promoter as well as by Allottees and the common order dated 20th June 2023 has been passed by the learned Member, MahaRERA. He further submits to file and circulate copy of all the relevant orders mentioned therein alongwith the chronology of the events by tomorrow.
- 2] Compliance of proviso is statutorily mandatory, without which Appeal cannot be entertained for consideration on merits. In the instant case, the order for 43(5) has already been passed on way back on 30th October 2023, another opportunity was also given to appellant on 23rd January 2024, again on 21st March 2024 and again on 2nd May 2024.
- 3] However, compliance of the proviso has still not been completed and the matter is lingering only for want of compliance of proviso for such a long time.
- 4] However, in the interest of justice last opportunity is given to appellant to comply with proviso failing, which all these Appeals filed by appellant promoter along with connected Applications will be dismissed without any further reference.
- 5] Stand over to 10th May 2024 for compliance of 43(5)/hearing on M.A. and dismissal.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP)