

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

APPEAL NO. AT006000000174630 OF 2023

M86 Residency Private Limited

... Appellant

-VS-

Mr. Ketan Kataria & Anr.

... Respondent

Mr. Abir Patel, Advocate for Appellant.

Mr. Manish Gala, Advocate for Respondent No.1.

Ms. Nehal Deshmukh, Advocate for Respondent No.2.

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

DATE : 24th APRIL, 2024

(THROUGH VIDEO CONFERENCE)

Advocate Ms. Nehal Deshmukh seeks time to file vakalatnama and reply on behalf of Respondent No.2.


2] Advocate Mr. Manish Gala appearing for Respondent No.1 submits that reply has already been filed.

3] Appeal is filed by Promoter. Accordingly, compliance of the Proviso to Section 43(5) of the Act of 2016 is pre-requisite to entertain the appeal. Accordingly, Appellant promoter is directed to deposit the entire amount as per the impugned order dated 24.02.2022.

4] Advocate Mr. Abir Patel appearing for Appellant promoter seeks four weeks' time to deposit the entire amount along with requisite interest towards the compliance of the Proviso.

5] Appellant to serve the copy of compliance towards the proviso to other side.

6] Stand over to 12th June 2024 for compliance of the Proviso/vakalatnama and reply of Respondent No.2.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP, J.)