

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**MISC. APPLICATION NO. 622 OF 2023 (Stay)
IN
APPEAL NO. AT006000000174704 OF 2023**

Sahyog Homes Ltd.

... Appellant

-VS-

Sulabha Shridhar Prabhudesai

... Respondent

Mr. Makarant Raut, Advocate for Appellant.

None for Respondent.

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

DATE : 29th JANUARY, 2024

(THROUGH VIDEO CONFERENCE)

None for Respondent.

2] Mr. Makarand Raut, learned counsel for Appellant submits that impugned order dated 18.08.2023 be stayed in view of the certain coercive steps being undertaken in execution.

3] Perused order dated 03.11.2023, wherein Respondent was present.

4] Advocate Mr. Makarand Raut further submits that as per impugned order, Appellant despite being promoter is not required to pre-deposit towards the compliance of the Proviso to Section 43(5) and seek time to file formal application and serve the copy to other side.

5] Stand over to 01st April, 2024 for hearing on waiver of 43(5) compliance and Misc. Application No.622/2023.


(DR. K. SHIVAJI)


(SHRIRAM R. JAGTAP, J.)