

**BEFORE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

23] M.A. No. 698/2023(Stay)

in

Appeal No. AT00600000184788/23

D. N. Nagar Shivneri CHS Ltd.

... Appellant

V/s.

Sai Siddhant Developers

...Respondent

Adv. Ms. Jenifer Michael for Appellant

None for Respondent

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

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

Adv. Jenifer Michael submits that the respondent has been duly served and intimated about today's date of hearing in writing and has filed affidavit of service along with postal receipts and tracking report.

2] Perused.

3] Respondent is duly served and intimated about today's hearing date.

4] The Tribunal has also issued notice dated 26th March 2024. Till date, respondent is not present. Accordingly appeal to proceed ex-parte against the respondent.


5] Heard Ld. Counsel for the appellant. She further submits that stay as prayed for in M.A. No. 698/23 is essential in order to proceed further for completion of the project.

6] Perusal of the impugned order dated 16th October, 2023 passed by Ld. Chairperson, MahaRERA shows that liberty has already been given to the appellant, more particularly in its Para No. 15 & 17 *inter alia*

liberty to approach Authority *"Complainant's society is given liberty to approach this Authority under the relevant provisions of the said Act with a proposal on the roadmap ahead in order to ensure completion of the said project"*.

7] In view of the above, liberty is granted to appellant to file its reply, as to why appellant has not been taking recourse to these liberties already granted in the impugned order itself for appropriate consideration of M.A. No. 698/23.

8] Stand over for hearing of M.A. No. 698 of 2023 to 11th June, 2024.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP)