

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**APPEAL NO. AT006000000204904 OF 2024**

Mallika Ajay Ingale & 59 Ors.

... Appellants

-VS-

M/s. Peteresa Realtors & 3 Ors.

... Respondents

*Mr. Harshad Bhadbhade a/w. Mr. Anwar Landge, Advocate for Appellants.  
None for Respondent Nos.1 to 3.*

*Mr. Rashmin Khandekar, Advocate for Respondent No.4 Bank of Baroda.*

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

**DR. K. SHIVAJI, MEMBER (A)**

**DATE : 03<sup>rd</sup> APRIL, 2024**

(THROUGH VIDEO CONFERENCE)

Heard learned counsel for parties.


2] By filing this praecipe, Advocate Mr. Rashmin Khandekar appearing for Respondent No.4 Bank of Baroda is pressing for vacation of the restrain order of this Tribunal dated 21.02.2024, mainly on account of the fact that this tribunal has no jurisdiction.

3] Learned counsel for Non-applicants/Allottees have raised couple of other contentions in addition to the point of jurisdiction more particularly that certain flats in the project have not been mortgaged to the Respondent No.4 Bank at all. Moreover, learned counsel for Applicant/Respondent No.4 has not been able to convince the urgency to



prepone to hear the issues on the root of the matter and the matter is already listed on 08.07.2024.

- 4] Perused record.
- 5] Perusal of record reveals that there is no urgency.
- 6] Liberty to parties to file replies and complete the pleadings well before the next date.
- 7] Accordingly, praecipe stands disallowed.
- 8] Stand over to 08<sup>th</sup> July 2024.

  
(**DR. K. SHIVAJI**)

  
(**SHRIRAM. R. JAGTAP, J.**)