

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**(11) M.A. No.1038/22 (Directions)
IN
APPEAL NO. AT006000000041892/19**

Mr. Anthony Peter

... Appellant

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(12) APPEAL NO. AT006000000041915/20

Dr. Umesh Bahadur & Ors.

... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

**(13) M.A. No. 1021/22 (Directions)
IN
APPEAL NO. AT006000000041922/20**

Mr. Dhiraj Saxena & Anr.

... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

**(14) M.A. No. 1031/22 (Directions)
IN
APPEAL NO. AT006000000041927/20**

Mr. Manish A. Korgaonkar & Anr.

... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent



(15) M.A. No. 1020/22 (Directions)
IN
APPEAL NO. AT006000000041930/20

Mr. Avaneet Soni & Anr. ... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent

(16) M.A. No. 1013/22 (Directions)
IN
APPEAL NO. AT006000000041934/20

Mr. Upendra Tiwari ... Appellant

-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent

(17) M.A. No. 1033/22 (Directions)
IN
APPEAL NO. AT006000000041935/20

Mr. Balani D. Newandram & Anr. ... Appellants

-VS-

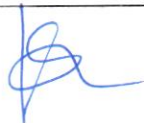
M/s. Nirmal Lifestyle Ltd. ... Respondent

(18) M.A. No. 1022/22 (Directions)
IN
APPEAL NO. AT006000000041936/20

Mr. Suresh Shetty & Anr. ... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent



(19) M.A. No. 1028/22 (Directions)
IN
APPEAL NO. AT006000000041939/20

Mr. Anand Vachhani & Anr. ... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent

(20) M.A. No. 1012/22 (Directions)
IN
APPEAL NO. AT006000000041940/20

Mr. R. Krishnan & Anr. ... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent

(21) M.A. No. 1009/22 (Directions)
IN
APPEAL NO. AT006000000041942/20

Mrs. Nibedita Samantaray & Anr. ... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent

(22) M.A. No. 1019/22 (Directions)
IN
APPEAL NO. AT006000000041944/20

Mr. Narendra K. Nadkarni & Anr. ... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent



(23) M.A. No. 1011/22 (Directions)
IN
APPEAL NO. AT006000000041945/20

Mrs. Sheela A. Ved

... Appellant

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(24) M.A. No. 1032/22 (Directions)
IN
APPEAL NO. AT006000000041946/20

Mr. Ashok R. Anand

... Appellant

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(25) M.A. No. 1010/22 (Directions)
IN
APPEAL NO. AT006000000041947/20

Mr. Shrikumar P. Nair. & Anr.

... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(26) M.A. No. 1023/22 (Directions)
IN
APPEAL NO. AT006000000041948/20

Mr. Ashok Balani

... Appellant

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent



(27) M.A. No .1014/22 (Directions)
IN
APPEAL NO. AT006000000041949/20

Mr. Rajkumar Balani & Anr.

... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(28) M.A. No. 1018/22 (Directions)
IN
APPEAL NO. AT006000000041950/20

Dr. Kamlesh Advani & Anr.

... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(29) M.A. No. 1037/22 (Directions)
IN
APPEAL NO. AT006000000041951/20

Mr. Mukesh R. Hiran & Anr.

... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(30) M.A. No. 1016/22 (Directions)
IN
APPEAL NO. AT006000000041952/20

Dr. Praveen Prakashchandra Mody

... Appellant

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent



(31) M.A. No. 1025/22 (Directions)
IN
APPEAL NO. AT006000000041953/20

Mr. Prashant Borade

... Appellant

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(32) M.A. No. 1030/22 (Directions)
IN
APPEAL NO. AT006000000041954/20

Mr. Pradeep J. D'Souza & Anr.

... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(33) M.A. No. 1035/22 (Directions)
IN
APPEAL NO. AT006000000041955/20

Mr. Colville Sequeira

... Appellant

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(34) M.A. No. 1034/22 (Directions)
IN
APPEAL NO. AT006000000041956/20

Mr. Ansari Mohd. Asif

... Appellant

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(35) M.A. No. 1017/22 (Directions)
IN
APPEAL NO. AT006000000041957/20

Mr. Ramprakash R. Iyer & Anr.

... Appellants



-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent

(36) M.A. No. 1036/22 (Directions)
IN
APPEAL NO. AT006000000041958/20

Mr. Kulwant Singh Mokha & Anr. ... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent

(37) M.A. No. 1015/22 (Directions)
IN
APPEAL NO. AT006000000041959/20

Mr. Manoj Ramkrishnan & Anr. ... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent

(38) M.A. No. 1027/22 (Directions)
IN
APPEAL NO. AT006000000041960/20

Mrs. Manisha A. Ramchandani & Anr. ... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent

(39) M.A. No. 1024/22 (Directions)
IN
APPEAL NO. AT006000000041961/20

Dr. Aruna Godwin ... Appellant

-VS-

M/s. Nirmal Lifestyle Ltd. ... Respondent



(40) M.A. No. 1026/22 (Directions)
IN
APPEAL NO. AT006000000041962/20

Mrs. Deepa P. Patil

... Appellant

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

(41) M.A. No. 1029/22 (Directions)
IN
APPEAL NO. AT006000000041963/20

Mr. Gautam Addanki & Anr.

... Appellants

-VS-

M/s. Nirmal Lifestyle Ltd.

... Respondent

Ms. Ritika Iyer h/f Adv. Anil D'Souza, Advocate for Appellants.

None for Respondent.

CORAM : SHRI S. S. SHINDE J., CHAIRPERSON, &
DR. K. SHIVAJI, MEMBER (A)

DATE : 09th JANUARY, 2024

(THROUGH VIDEO CONFERENCE)

Adv. Ritika Iyer confirms that ^{there} no settlement is going on in any of these matters.

IN MISC. APPLICATION NOS. 1038/22, 1021/22, 1031/22, 1020/22, 1013/22, 1033/22, 1022/22, 1028/22, 1012/22, 1009/22, 1019/22, 1011/22, 1032/22, 1010/22, 1023/22, 1014/22, 1018/22, 1037/22, 1016/22, 1025/22, 1030/22, 1035/22, 1034/22, 1017/22, 1036/22, 1015/22, 1027/22, 1024/22, 1026/22, 1029/22.

2. By these misc. applications, Respondent is seeking to produce



additional document/s by submitting as "certain relevant documents and information as also subsequent development that has taken place between 2019 to 2022...".

3. Sufficient opportunities have already been given to the Applicant/Respondent to specify exact details of the proposed documents including for the list of documents.

4. Respondent is absent today.

5. Adv. Ritika Iyer submits that the reply of these Misc. Applications in all the matters have already been filed and served to Respondent/Applicant.

6. These matters are lingering since long for want of specific details of the documents to be produced as mentioned in the applications.

7. Adv. Ritika Iyer further submits that the appeal was filed in 2020, reply to the appeal has already been filed by the Respondent in July 2022. However, when the matters were listed for the final hearing on 1st Sept. 2022, then suddenly, Respondent has filed these applications for production of certain documents to be filed without specifying any exact details of these documents.

8. Perused.

9. Despite sufficient opportunities available to Respondent/Applicant, Respondent has failed to file and circulate the list of the documents including the exact details and the justification for production of these documents specifying the relevance for the disputes in the captioned appeals. In the absence of specific details of the documents proposed to be produced by Respondent, it is difficult to ascertain the relevance/admissibility itself, which are of paramount consideration. Despite the passage of such a long time, Respondent has not produced any further details.

10. Ld. Counsel appearing for Appellant has filed and served reply to



Respondent by specifically pointing out these deficiencies, even then Respondent has not taken any steps to specify this information.

11. Perused.

12. Upon perusal of record, it is more than evident that despite giving sufficient opportunities and even after filing of reply, when the matters were listed for final hearing in Sept. 2022, Respondent has filed these Misc. Applications in Nov. 2022 without specifying the exact details stated to be produced.


13. In the absence of the list of documents in the misc. applications which are pre-requisite for considerations and to decide appropriately, Misc. Applications are inherently not proper and are devoid of merits, lacks substance and therefore in the peculiar facts and circumstances of the case, we are of the considered view that captioned Misc. Applications deserve to be rejected and we proceed to pass the order as follows:

O-R-D-E-R

14. Misc. Applications nos. 1038/22, 1021/22, 1031/22, 1020/22, 1013/22, 1033/22, 1022/22, 1028/22, 1012/22, 1009/22, 1019/22, 1011/22, 1032/22, 1010/22, 1023/22, 1014/22, 1018/22, 1037/22, 1016/22, 1025/22, 1030/22, 1035/22, 1034/22, 1017/22, 1036/22, 1015/22, 1027/22, 1024/22, 1026/22, 1029/22 stand rejected.

15. No costs.


(DR. K. SHIVAJI)


(S. S. SHINDE, J.)

MS