

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**MISC. APPLICATION NO. 28 OF 2020 (Stay)  
WITH  
MISC. APPLICATION NO. 321 OF 2022 {Non-compliance 43(5)}  
IN  
APPEAL NO. AT006000000042049 OF 2020**

Spenta Builders Pvt. Ltd.

... Appellant

-VS-

Nupura C. Naik

... Respondent

*Ms. Sana Khan, Advocate for Appellant.*

*Ms. Varsha Kule a/w. Mr. Anil D'souza, Advocate for Respondent.*

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

**DATE : 12<sup>th</sup> MARCH, 2024**

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference.

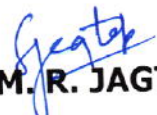
2] Learned counsel appearing for Respondent submits that compliance to the Proviso to Section 43(5), as ordered on 10<sup>th</sup> March 2021 still continues to be incomplete and accordingly the Misc. Application No.321/2022 has also been filed for taking objection of the non-compliance of the statutory provision.

3] Learned counsel for Appellant submits that incomplete copy of the Misc. Application No. 321/2022 has been received.

4] Learned counsel for Respondent undertake to re-serve the entire set with three days.

5] Stand over to 19<sup>th</sup> April 2024 for final hearing/ compliance of the 43(5) and hearing of Misc. Application No. 321/2022.

  
(DR. K. SHIVAJI)

  
(SHRIRAM. R. JAGTAP, J.)