

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**MISC. APPLICATION NO. 158 OF 2023** (Int. Appln.)  
**WITH**  
**MISC. APPLICATION NO. 521 OF 2023** (Amendment)  
**WITH**  
**EX. NO. 16 OF 2022**  
**IN**  
**APPEAL NO. AT006000000052139**

Sana Hospitality Pvt. Ltd.

... Applicant

-VS-

Sushila S. Malge

... Non-applicant

*Mr. Jairam Chandnani, Advocate for Applicant.*

*Mr. Abhishek Yadav h/f. Yasmin Tavaria, Advocate for Non-applicant Nos.1 and 2.*

*Mr. Vishal Phal, Advocate for Non-applicant Nos.3 and 4.*

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

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

**DATE : 22<sup>nd</sup> AUGUST, 2023**

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference.

2] Learned counsel appearing for Non-applicant Nos.1 and 2 seeks time as the arguing counsel is not available.

3] Learned counsel for Non-applicant Nos.3 and 4 seeks 10 days' time to file reply to Amendment application No.521/2023 filed by Applicant.

4] Liberty to parties to file reply on amendment application within 10 days.



5] Perused order dated 17<sup>th</sup> July, 2022, Non-applicant Nos.1 and 2 had undertaken to deposit Rs. 1 Crore in Tribunal within one week.

6] Learned counsel for Non-applicant Nos.1 and 2 confirms that this has not been complied with despite the undertaking given by learned counsel for Non-applicant Nos.1 and 2.

7] In view of non-compliance, Non-applicant Nos.1 and 2 to pay cost of Rs. 10,000/- (Ten Thousands) directly in the account of Applicant within two weeks' from the date of uploading of this order.

8] Payment of cost of Rs. 10,000/- to Applicant Nos.1 and 2 will be condition precedent for filing of reply on amendment application.

9] Stand over to 13<sup>th</sup> October, 2023 for reply and hearing on Misc. Application No. 521/2023/ Ex. Application.

  
(DR. K. SHIVAJI)

  
(SHRIRAM. R. JAGTAP, J.)