

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**(2) MISC. APPLICATION NO. 390 OF 2021 (Stay)  
IN  
APPEAL NO. AT006000000052402 OF 2020**

Spenta Builders Pvt. Ltd.	... Appellant
-VS-	
Mr. Ashlesh Gosain	... Respondent

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**(3) APPEAL NO. AT006000000052942 OF 2021**

Mr. Ashlesh Gosain	... Appellant
-VS-	
M/s. Spenta Builders Pvt. Ltd.	... Respondent

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*Ms. Sana Khan, Advocate for Appellant in sr. no.7 and Advocate for Respondent in sr. no.8.*

*Mr. Nilesh R. Motwani, Advocate for Appellant in sr. no.8 and Advocate for Respondent in sr. no.7.*

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

**DATE : 20<sup>th</sup> MARCH, 2024**

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference.

- 2] Advocate Ms. Sana Khan seeks leave to file and circulate copy of relevant order of the Hon'ble Bombay High Court.
- 3] Advocate Mr. Nilesh Motwani appearing for Allottee vehemently opposed it by submitting that the matter is old and referred the order of this Tribunal dated 21.12.2023 wherein, Promoter was specifically given last chance to place

certain documents as prayed by the Promoter, subject to the payment of cost of ₹ 5000/-.

- 4] Learned counsel for Allottee further submits that despite the last opportunity, Promoter is again asking for the same liberty. However, confirmed that the cost of ₹ 5000/- as ordered by this Tribunal therein has already been paid.
- 5] Appeal is listed for final hearing and sufficient opportunity has already been given to Promoter. However, in the interest of justice, last opportunity is granted with liberty to Advocate Ms. Sana Khan to file and serve the copy of the document including the order/judgment of the Hon'ble Bombay High Court, subject to the payment of cost of ₹ 5000/-, to be paid directly in the bank account of Allottee.
- 6] Liberty to Allottee to file and circulate additional reply/written submission, if any well before the next date.
- 7] Stand over to 26<sup>th</sup> April 2024 for final hearing.

  
(DR. K. SHIVAJI)

  
(SHRIRAM. R. JAGTAP, J.)