

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**MISC. APPLICATION NO. 08 OF 2023 (Possession)
IN
13) APPEAL NO. AT006000000052595**

Shetty Vishwas & Anr. ... Appellants

-VS-

Sheth Infraworld Pvt. Ltd. ... Respondent

**MISC. APPLICATION NO. 1095 OF 2022 (Possession)
IN
14) APPEAL NO. AT006000000052596**

Prashant Satish Hegde ... Appellant

-VS-

Sheth Infraworld Pvt. Ltd. ... Respondent

**MISC. APPLICATION NO. 1096 OF 2022 (Possession)
IN
15) APPEAL NO. AT006000000052597**

Sybil N. Bhurke & Anr. ... Appellants

-VS-

Sheth Infraworld Pvt. Ltd. ... Respondent

**MISC. APPLICATION NO. 1098 OF 2022 (Possession)
IN
16) APPEAL NO. AT006000000052592**

Leena Samant & Anr. ... Appellants



-VS-

Sheth Infraworld Pvt. Ltd.

... Respondent

MISC. APPLICATION NO. 1099 OF 2022 (Possession)

IN

17) APPEAL NO. AT006000000052593

Dr. Advait Ingole & Anr.

... Appellants

-VS-

Sheth Infraworld Pvt. Ltd.

... Respondent

MISC. APPLICATION NO. 1100 OF 2022 (Possession)

IN

18) APPEAL NO. AT006000000053595

Devdasan Jayaraj & Anr.

... Appellants

-VS-

Sheth Infraworld Pvt. Ltd.

... Respondent

MISC. APPLICATION NO. 1101 OF 2022 (Possession)

IN

19) APPEAL NO. AT006000000052596

Ms. Sandya Nayak & Anr.

... Appellants

-VS-

Sheth Infraworld Pvt. Ltd.

... Respondent

MISC. APPLICATION NO. 1102 OF 2022 (Possession)

IN

20) APPEAL NO. AT006000000053597

Vaishali Bhende & Anr.

... Appellants

-VS-

Sheth Infraworld Pvt. Ltd.

... Respondent



MISC. APPLICATION NO. 1116 OF 2022 (Possession)
IN

21) APPEAL NO. AT006000000052598

Sonali Bhoge & Anr. ... Appellants

-VS-

Sheth Infraworld Pvt. Ltd. ... Respondent

MISC. APPLICATION NO. 1103 OF 2022
(Possession)

IN

22) APPEAL NO. AT006000000053601

Victor S. D'souza & Anr. ... Appellants

-VS-

Sheth Infraworld Pvt. Ltd. ... Respondent

MISC. APPLICATION NO. 353 OF 2022 (Possession)
IN

23) APPEAL NO. AT006000000053605

Sheth Midori Buyers AOP & Ors. ... Appellants

-VS-

Sheth Infraworld Pvt. Ltd. ... Respondent

MISC. APPLICATION NO. 1097 OF 2022 (Possession)
IN

24) APPEAL NO. AT006000000053674

Mr. Sachin Shetty & Anr. ... Appellants

-VS-

Sheth Infraworld Pvt. Ltd. ... Respondent

Mr. Satish Dedhia, Advocate for Appellants.
Mr. Manish Gala, Advocate for Respondent.



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

DATE : 18th MARCH, 2024

(THROUGH VIDEO CONFERENCE)

Learned counsel for the parties joined the conference and jointly submit that Misc. Application for delivery of possession of the subject flats in all the matters except in Appeal No.53605 have already been passed on 21st October, 2022 and the possessions in all these matters have already been delivered and taken over.

2] Accordingly, in order dated 3rd February, 2023, it has been ordered that these Misc. Applications will be heard alongwith main Appeals.

3] By consent, learned Counsel for the parties submits that all these matters have arisen out of similar backgrounds and circumstances and raising identical questions of law. Accordingly, Sr. No. 16 i.e. Appeal No.53592 be taken as lead matter for the purpose of disposal of all these matters.

4] Learned Counsel for the parties jointly submit that they wish to refer and rely upon some of the Judgments of this Tribunal with respect to the preliminary issue raising question of maintainability of the Appeal.

5] Parties to file and serve/exchange copies of the respective citations within one week.



6] Advocate Mr. Dedhia further submits that Respondent in the past has been taking objections in piecemeal basis. Accordingly, Respondent to raise all the objections and issues together and serve relevant documents within one week.

7] Stand over to 18th April, 2024 for the final hearing including the preliminary issue.


(DR. K. SHIVAJI)


(SHRIRAM R. JAGTAP, J.)