

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**APPEAL NO. AT006000000052751**

Neel S. Shah ... Appellant

-VS-

M/s. Arham Engineers & Ors. ... Respondents

**MISC. APPLICATION NO. 586 OF 2020 (Stay)**

**IN**

**APPEAL NO. AT006000000052770**

M/s. Arham Engineers & Ors. ... Appellants

-VS-

Neel S. Shah ... Respondent

*Mr. Vaibhav S. Sonawane, Advocate for Appellant in sr. no.1 and Respondent in sr. no.2.*

*Ms. Hima Khuman, Advocate for Respondents in sr. no.1 and Appellant in sr. no.2.*

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

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

**DATE : 29<sup>th</sup> AUGUST, 2023**

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference.

2] Advocate Ms. Hima Khuman submits that Advocate Mr. Vaibhav S. Sonawane has served and placed on record copy of letter dated 25.08.2023 containing series of documents which were not part of the complaint proceedings. Therefore, upon instructions advocate Ms. Hima



Khuman objects to the production of these documents on record.

3] Advocate Mr. Vaibhav S. Sonawane submits that these documents are directly related to the disputes and controversy in question more particularly the part occupancy certificate, being final demand letters and the corresponding email exchanges, which were taken place between the parties and are directly relevant for effective adjudication of the controversy in question in both these captioned appeals and these are based on the submissions during the last hearing.

4] Perused.

5] These documents are directly related to the controversy involved and are essential to effectively adjudicate the disputes in these two appeals. Accordingly, these documents are allowed to be produced on record, subject to keeping the point of admissibility open, to be rebut on merit and without prejudice to the rights and contentions of the other side.

6] Advocate Ms. Hima Khuman further submits that page no.309 served by the other side is not legible.

7] Advocate Mr. Vaibhav S. Sonawane, upon instructions undertakes to serve legible of page no.309 within two days to other side.

8] Stand over to 09<sup>th</sup> October, 2023 for further hearing.

  
(DR. K. SHIVAJI)

  
(SHRIRAM. R. JAGTAP, J.)