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**BEFORE THE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

M.A. No. 409/23 (Restoration)

In

36] Appeal No. AT006000000053667/22 (D.)

Dhanlaxmi Builders & Developers

... Applicant

V/s.

Tarachand Dedhia & Ors.

...Non-applicants

Adv. Mr. Jeetendra Ranawat for Applicant
None for Non-applicants

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

DATE : 15th April, 2024

(THROUGH VIDEO CONFERENCE)

Despite service of notice the Respondents have not appeared. Therefore, Application is to proceed ex-parte against Non-applicants.

2] We have heard learned Advocate Mr. Jeetendra Ranawat for Applicant.

3] Record reveals that despite ample opportunity, the Applicant did not remove office objection. Therefore, the learned Registrar has dismissed the Appeal for want of removal of office objection. It is to be noted that Registrar instead of placing the matter before the concerned Bench for consideration passed Suo Moto order which is beyond jurisdiction. Therefore, impugned order dated 10.4.2023 is required to be set aside.

4] Accordingly, order dated 10.4.2023 is set aside. Appeal is restored/re-admitted. Appellant is directed to remove the office

Jeetendra

objection within seven days.

5] Learned Advocate Mr. Jeetendra Ranawat further submits that in abundant precaution the Appellant has filed delay condonation application and thereby removed the office objection.

6] In view of this submission Appellant is directed to serve notice of Appeal Memo to other side intimating next date of hearing in the matter and file affidavit of service.

7] Accordingly, Misc. Application No. 409/2023 stands disposed of.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP)