

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

**15) Appeal No. AT006000000053786/22**

Samit D. Jha & Anr. ... Appellants

V/s.

Rohan N. Sodhi ... Respondent

**Alongwith**

**16) Appeal No. AT006000000053787/22**

Champadevi Prasad ... Appellants

V/s.

Rohan N. Sodhi ... Respondent

**Alongwith**

**17) Appeal No. AT006000000053790/22**

Parshuram Asolkar & Anr. ... Appellants

V/s.

Rohan N. Sodhi ... Respondent

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*Adv. Mr. Bishwajeet Mukherjee for Appellants*

*Adv. Mr. K. S. Dubey for Respondents*

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

**DATE : 28<sup>th</sup> March, 2024**

*S. Jagtap*

## (THROUGH VIDEO CONFERENCE)


Learned Counsel appearing for respective parties submit that by impugned order dated 9<sup>th</sup> March, 2022 the learned Authority has disposed of the complaints filed by Allottees. However, the learned Authority failed to examine the issues involved in the complaints in its proper perspective and thereby arrived at a wrong conclusion that the issues agitated by the Complainants in their complaints are already considered by Authority in another complaint proceedings. This signifies that the matter in issue in the complaints has not been properly adjudicated by learned Authority. Therefore, the impugned order requires interference in these Appeals and the matters are liable to be remanded to the learned Authority to be decided afresh.

2] The aforesaid submissions of learned Counsel appearing for respective parties reveal that both the parties have grievance against the impugned order. According to parties, the grievances raised by complainants in their complaints are not dealt with properly by learned Authority. Therefore, in view of the submissions as above, we are of the view that there is no impediment in setting aside the impugned order dated 9<sup>th</sup> March, 2022 to the extent of Appellants in these Appeals.

3] Accordingly, the impugned order dated 9<sup>th</sup> March, 2022 is set aside to the extent of Appellants in these Appeals. The complaints/matters are remanded to the learned Authority to be decided afresh after hearing the parties in the captioned Appeals. All rights and contentions of the parties are kept open.



- 4] The learned Authority is requested to expedite the matters/ complaints as early as possible.
- 5] Parties are directed to appear before the learned Authority on 10<sup>th</sup> June, 2024.
- 6] Accordingly, these Appeals stand disposed of.
- 7] Parties shall bear their own costs.
- 8] Copy of this order be communicated to the learned Authority and the respective parties as per the provisions of Sections 44 (4) of RERA Act, 2016.

  
(DR. K. SHIVAJI)

  
(SHRIRAM R. JAGTAP)

SPK/15-19