

**BEFORE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL MUMBAI**

**M. A. No. 547/22 (Possession)
In
Appeal No. AT006000000063805/22**

Garry V. Ashar & Anr.

... Appellants

V/s.

Skystar Buildcon Pvt. Ltd.

...Respondent

Adv. Mr. Shanay Shah for Appellants

Adv. Mr. Rupesh Geete for Respondent

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

DATE : 2nd January, 2024

(THROUGH VIDEO CONFERENCE)

Advocate Mr. Rupesh Geete seeks time to file affidavit with regard to the interest allegedly liable to be paid by Appellants to Respondent.

2] Record reveals that despite ample opportunities the Respondent has failed to file the affidavit. The progress of the matter is at standstill because of Respondent only therefore we do not consider the request of Respondent and no more chance will be granted to Respondent to file affidavit. Hence, the request of Respondent to grant time to file affidavit stands rejected.

3] Advocate Mr. Shanay Shah for Appellants submits that the Appellants have received the possession of the subject flat on

Geete

14.03.2023. However record reveals that the Appellants have moved Misc. Application No. 547/2022 for the possession of the subject flat. In view of the submissions of the Appellants Misc. Application No. 547/2022 does not survive, accordingly, stands disposed of.

5] The record further reveals that the parties have already filed the written submissions.

6] Matter is adjourned for final hearing.

7] Stand over to 28th February, 2024 for final hearing.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP)

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