

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

41] APPEAL NO. AT006000000144223 of 2023

CCI Projects Pvt. Ltd.

.. Appellant

-vs-

Gargi Desai & 2 Ors.

.. Respondents

ALONGWITH

42] APPEAL NO. AT006000000144251 of 2023

CCI Projects Pvt. Ltd.

.. Appellant

-vs-

Ms. Ritu Basu & 2 Ors.

.. Respondents

ALONGWITH

43] APPEAL NO. AT006000000144252 of 2023

CCI Projects Pvt. Ltd.

.. Appellant

-vs-

Mr. Jai P. Rathi & 2 Ors.

.. Respondents

Adv. Mr. Abir Patel for Appellant (Sr. Nos. 41 to 43)

Adv. Ms. Namrata Solanki for Respondent Nos. 1 and 2 (Sr. Nos. 41)

Adv. Ms. Ritika Iyer for Respondent Nos. 1 and 2 (Sr. Nos. 42)

None for Respondent No. 3 (Sr. No. 41 and 42)

None for Respondent Nos. 1 to 3 (Sr. No. 43)

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

Dr. K. SHIVAJI, MEMBER (A)

DATE : 25th July, 2023.

(THROUGH VIDEO CONFERENCING)

Learned counsel for Appellants submits that Respondent Nos. 1 and 2 in Sr. No. 43 have already been served and also today's date of hearing has already been informed. Affidavit of service alongwith courier receipts and acknowledgements have also been filed.



- 2] Perused.
- 3] Respondent Nos. 1 and 2 in Sr. No. 43 are absent.
- 4] Learned counsel for Appellant seeks time to file affidavit of service after serving and intimating next date to Respondent No. 3.
- 5] Appeal has been filed by Promoter against the Order dated 02.11.2022. Appeals cannot be entertained without first complying with proviso to Section 43(5) of RERA.
- 6] Heard learned counsel for Appellants.
- 7] Compliance being statutory and mandatory requirements, Appellants in all the Appeals to deposit the entire amounts as per the impugned Order dated 02.11.2022 towards the compliance of the said Proviso.
- 8] Learned counsel for Appellants seeks four week's time to comply with proviso to Section 43(5) of RERA.
- 9] Stand over to 29th August, 2023 for compliance of proviso to Section 43(5) of RERA in all the Appeals and affidavit of service of Respondent No. 3.


(DR. K. SHIVAJI)


(SHRIRAM R. JAGTAP)

MBT