

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

APPEAL NO. AT005000000144365 OF 2023

Neetu Kaur Gandhi & 3 Ors.

... Appellants

-VS-

M/s. Kolte Patil Developers Ltd. & 2 Ors.

... Respondents

Adv. Mily Ghoshal for Appellants.

Adv. Amrut Joshi for Respondent No. 1.

None for Respondent Nos. 2 & 3.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 26th JULY, 2023

(THROUGH VIDEO CONFERENCE)

Adv. Amrut Joshi submits that the Respondent No.1 has filed reply and serve the copy of the same to other side. Adv. Mily Ghoshal confirmed the same.

2] Adv. Mily Ghoshal submits that pursuant to direction dated 3rd July, 2023 the appellants have given intimation of date of hearing to Respondent Nos. 2 & 3 in writing and file affidavit of service.

3] A perusal of affidavit of service would show that Appellants have given intimation of today's hearing to Respondent Nos. 2 & 3. The tracking report clearly indicates the service of notice on the Respondent Nos. 2 & 3. Despite this the Respondent Nos. 2 & 3 have not appeared. Therefore appeal is to proceed ex-parte against Respondent Nos. 2 & 3.

4] Adv. Mily Ghoshal submits that Appellants do not want to file rejoinder to the reply of Respondent No. 1.

Syng

- 5] Parties are directed to file written submissions and exchange the copies thereof to each other well before the next date.
- 6] Stand over to 13th September, 2023 for filing written submissions.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP, J.)

ARP