

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**48] MISC. APPLICATION NO. 405 OF 2023  
(Discl. Of salable Flat & immovable property)  
WITH  
EX. No. 04 OF 2023  
IN  
APPEAL NO. AT006000000053461 OF 2021**

Vijay Choksi

... Applicant

-VS-

SSSC Escatics Pvt. Ltd. & Anr.

...Non-applicant

*Adv. Anmol Bartaria for Applicant.*

*Adv. Abhay Arora for Non-applicant No. 1.*

*Adv. Abir Patel for Non-applicant No. 2*

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

**DATE : 04<sup>th</sup> August, 2023**

**(THROUGH VIDEO CONFERENCE)**

Adv. Anmol Bartaria for Applicant, Adv. Abhay Arora for Non-applicant No. 1 and Adv. Abir Patel for Non-applicant No.2 joined the conference.

2] Learned counsel for the Applicant submit that the Misc. Application No. 405 of 2023 has been filed and served to the other sides. However, learned counsel for Non-applicant No. 2 submits that the application has not been received.

3] In the instant case, warrant for recovery of the amount has

already been issued on 15<sup>th</sup> February, 2023 and learned counsel for the applicant submit that no further progress is taking place and at the same time Non-applicants are selling the available flats.

4] Heard learned counsel for the parties.

5] In view of above, the prayer made in Misc. Application No. 405 of 2023 in para No. 10(B), Non-applicants are directed to disclose on oath the personal assets, immovable properties, movable properties and other tangible assets including investments, income tax returns and other finances on record under order 41 of C.P.C.

6] Learned counsel for Non-applicants seeks 4 weeks' time to file and serve these details/documents.

7] Stand over to 6<sup>th</sup> September, 2023 for further consideration, compliance for warrants of recovery.

  
(DR. K. SHIVAJI)

ARP

  
(SHRIRAM. R. JAGTAP, J.)