

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

**8] MISC. APPLICATION NO. 76/23
(Substitute Service)**

**EXECUTION APPLICATION NO. 27/22
IN
APPEAL NO. AT006000000052692 OF 2021**

Abhijit Chandrakant Borawake

.. Applicant

-VS-

Karm Infrastructure Pvt. Ltd.

.. Non-applicant

**ALONGWITH
9] EXECUTION APPLICATION NO. 28/22
IN
APPEAL NO. AT006000000052789 OF 2021**

Prasad Prabhakar Jaywant

.. Applicant

-VS-

Karm Infrastructure Pvt. Ltd.

.. Non-applicant

*Adv. Ms. Ritika Iyer for Applicant (Sr Nos. 8 and 9)
None for Non-applicant*

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

DATE : 27th July, 2023.

(THROUGH VIDEO CONFERENCING)



Advocate Ms. Ritika Iyer for Applicants joined the conference.

- 2] None for Non-applicant.
- 3] Learned counsel for Applicants submits that the Non-applicant has been duly served in both the Applications by paper publication, alternate mode of service and the Execution Application has already proceeded ex-parte against the Non-applicant.
- 4] Misc. Application No. 76/23 stands disposed in above terms.
- 3] Learned counsel submits that affidavit containing the bank account number in Kotak Mahindra Bank of the Non-applicant at page 54 of the record has been filed and pressed for immediate freezing/ attachment of this account on priority basis for recovery of the amount as per impugned Order 23.02.2022, wherein the Non-applicant has been directed to refund the paid amount alongwith interest.
- 4] In view of the above, Registry to issue appropriate direction for freezing of the said account and attachment for recovery of the amount as per the impugned Order dated 23.02.2022.
- 5] Stand over to 24th August, 2023 for further consideration and report of the Registry.


(DR. K. SHIVAJI)


(SHRIRAM R. JAGTAP)

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