

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

**CONTEMPT PETITION NO. 2 OF 2022
IN
RC-2-2021**

Manju Chawla & Ors.
-VS-

.. Applicants

Adinath CHS Ltd. & Ors.

.. Non-Applicants

Adv. Mr. Satish Dedhia for Applicants.

Adv. Mr. Pranav Khatkul for Non-Applicant No.1.

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

DATE : 25th August, 2023.

(THROUGH VIDEO CONFERENCING)

Adv. Mr. Pranav Khatkul undertakes to file vakalatnama on behalf of respondent no.1/non-applicant no.1 and will file reply to appeal and contempt petition.

2] A perusal of record would show that Adv. Ms. Nisha Mehra is representing for non-applicant no.37. It further transpires that despite service of notice/summons Murlidhar Developers (non-applicant no.5), Kanchan S. Prajapati (non-applicant No.18), Hiralal M. Desai and Ilaben H. Desai (non-applicant no.23), Hemlata M. Bajariya (non-applicant no.34), Jigisha A. Mehta (non-applicant no.34) and Magicbricks Realty Services Ltd. (non-applicant no.39) have been duly served with notices, but failed to appear in the matter. Therefore, contempt petition is to

proceed exparte against these non-applicants.

3] It further transpires that despite service of notices Puja Avinash Nikam and Bharti Avinash Nikam (non-applicant no.22) have not appeared. Apart from this, Satish R. Koshti (non-applicant no.19) has also failed to appear. Therefore, contempt petition is to proceed exparte against these non-applicants.

4] Adv. Mr. Satish Dedhia submits that the applicants have filed affidavit of service. A perusal of affidavit of service would show that non-applicant nos.42 to 50 i.e. Jt.Sub-Registrars have been served with notices. Mr. Rajeev A. Sane (non-applicant no,11) is also duly served with notice. Mr. Namdev Vitthal Tawade and Sanjaykumar Ranbhadur Morya the non-applicant nos.20 and 29 respectively are also served with notices. Vinay D. Bohra (non-applicant no.9) is also served with notice. Despite this they have failed to appear in the matter. However, there is no material on record to show that the applicants have given intimation of today's hearing to these non-applicants.

5] The applicants are directed to give intimation of next date of hearing to non-applicants and file compliance report. The applicants are directed to serve notices on the rest of the non-applicants with intimation of next date of hearing and file affidavit of service.

6] Stand over to 23rd October 2023 for filing affidavit of service.


(DR. K. SHIVAJI)

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(SHRIRAM R. JAGTAP)