

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

**52] MISC. APPLICATION NO. 956 OF 2022 (Delay)
IN
APPEAL NO. U-10 OF 2022**

Gobind M. Harjani & Anr. .. Applicants

-VS-

Hitendra Dhamm Sabha Co.Op. Hsg. Soc.
Ltd. & Ors. .. Non-applicants

**WITH
53] MISC. APPLICATION NO. 957 OF 2022 (Delay)
IN
APPEAL NO. U-11 OF 2022**

Atul Kapoor .. Applicant

-VS-

Hitendra Dhamm Sabha Co.Op. Hsg. Soc.
Ltd. & Ors. .. Non-applicants

**WITH
54] MISC. APPLICATION NO. 958 OF 2022 (Delay)
IN
APPEAL NO. U-12 OF 2022**

Sharda A. Kumar .. Applicant

-VS-

Hitendra Dhamm Sabha Co.Op. Hsg. Soc.
Ltd. & Ors. .. Non-applicants

**WITH
55] MISC. APPLICATION NO. 959 OF 2022 (Delay)
IN
APPEAL NO. U-13 OF 2022**

Mrs. Sonia R. Anandani .. Applicant

-VS-

Hitendra Dhamm Sabha Co.Op. Hsg. Soc.
Ltd. & Ors. .. Non-applicants

**WITH
56] MISC. APPLICATION NO. 960 OF 2022 (Delay)
IN
APPEAL NO. U-14 OF 2022**



Ms. Sara A. Sindhjedwala

.. Applicant

-VS-

Hitendra Dhamm Sabha Co.Op. Hsg. Soc.
Ltd. & Ors.

.. Non-applicants

WITH

57] MISC. APPLICATION NO. 961 OF 2022 (Delay)

IN

APPEAL NO. U-15 OF 2022

Shakeel A. Ginwala & Anr.

.. Applicants

-VS-

Hitendra Dhamm Sabha Co.Op. Hsg. Soc.
Ltd. & Ors.

.. Non-applicants

WITH

58] MISC. APPLICATION NO. 962 OF 2022 (Delay)

IN

APPEAL NO. U-16 OF 2022

Huzefa A. Dehagamwala

.. Applicant

-VS-

Hitendra Dhamm Sabha Co.Op. Hsg. Soc.
Ltd. & Ors.

.. Non-applicants

WITH

59] MISC. APPLICATION NO. 963 OF 2022 (Delay)

IN

APPEAL NO. U-17 OF 2022

Bomi H. Hansatia & Anr.

.. Applicants

-VS-

Hitendra Dhamm Sabha Co.Op. Hsg. Soc.
Ltd. & Ors.

.. Non-applicants

Adv. Mrs. Priti Tare for Applicants.

Adv. Mr. Rohit Yadav for Non-applicant no. 1.

Adv. Mr. Ritesh Singh for Non-applicant nos. 3 & 4.

None for Non-applicant nos. 2 & 5.

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

DATE : 28th August, 2023.

S. Jagtap

(THROUGH VIDEO CONFERENCING)

Adv. Rohit Yadav for Non-applicant no. 1 submits that the Non-applicant has filed reply and served the copy of the same to other side.

2] Adv. Ritesh Singh for Non-applicant nos. 3 & 4 submits that the Non-applicants have filed reply to Delay Condonation Application and served the copies of the same to other side. Adv. Priti Tare confirms the same.

3] Adv. Priti Tare for Applicant submits that Applicant has served notices upon the Non-applicant nos. 2 & 5 and has already filed affidavit of service.

3] A perusal of affidavit of service would show that the Non-applicant nos. 2 & 5 have been duly served with notices. The postal tracking report clearly indicates the service of notices on the Non-applicant nos. 2 & 5 is done.

5] Despite this, they have failed to appear in the matter. Therefore, Delay Condonation Application is to proceed ex-parte against the Non-applicant nos. 2 & 5.

6] We have heard learned counsel for the respective parties on Delay Condonation Application.

7] Stand over to 6th September, 2023 for order on Delay condonation Application.


(DR. K. SHIVAJI)

ARP


(SHRIRAM R. JAGTAP)