

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

**MISC. APPLICATION NO. 03 OF 2023 (Delay)  
IN  
APPEAL NO. U-20 OF 2022**

Simran M. Vasandani

.. Applicant

-vs-

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

.. Non-applicant

*Adv. Mrs. Priti Tare for Applicant.*

*Adv. Mr. Rohit Yadav i/b Bhavin Bhatia 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 : 28<sup>th</sup> August, 2023.**

**(THROUGH VIDEO CONFERENCING)**

Adv. Mr. Rohit Yadav for Non-applicant no. 1 and Adv. Ritesh Singh for Non-applicant nos. 3 & 4 seeks time to file reply to Delay Condonation Application. Granted as last chance.

2] 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.

4] 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.

5] Stand over to 6<sup>th</sup> September, 2023 for filing reply to Delay Condonation Application.

  
(DR. K. SHIVAJI)

ARP

  
(SHRIRAM R. JAGTAP)