

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**MISC. APPLICATION NO. 762 OF 2022 (Stay)  
IN  
APPEAL NO. U-07 OF 2022**

Abhijit Realtors & Infraventures Pvt.

... Appellant

-VS-

The Jayanti Nagari III,  
Flats & Row Houses Owners CHS Ltd. Ltd.

... Respondent

*Mr. Tejal Thombre, Advocate for Appellant.*


*Ishwar S. Charlewar, Advocate for Respondent.*

**CORAM : SHRI SHRIRAM R. JAGTAP, MEMBER (J) &**

**DR. K. SHIVAJI, MEMBER (A)**

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

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference and submits that pleadings are complete and written submissions have already been filed and circulated. 

2] Learned counsel for Appellant further submits that appellant is not liable to pre-deposit the amount in view of the Proviso to Section 43(5) of the Act, 2016 and seeks two weeks' time to serve a copy to other side.

3] Liberty to Respondent to file reply within one week thereafter. Stand over to 03<sup>rd</sup> October, 2023 for compliance of the Proviso to Section 43(5) of the Act of 2016

  
(DR. K. SHIVAJI)

  
(SHRIRAM. R. JAGTAP, J.)