

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

M.A. No. 856/2022 (Delay)

In

APPEAL NO.AT006000000113947 OF 2022

Alongwith

M.A. No. 857/2022 (Stay)

M/s. Gadkari Builders & Associate

... Applicant

-VS-

Durgaprasad G. Tambulwadkar & Anr.

... Non-applicants

Adv. Ms. Pooja Harit for Applicant

Adv. Mr. Santosh Yadav for Non-applicant No. 1

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

DATE : 10th October, 2023

(THROUGH VIDEO CONFERENCING)

Advocate Ms. Pooja Harit submits that earlier the Applicant had sent Notice to Non-applicant No. 2 by registered Post but despite intimation the Non-applicant No. 2 did not claim the Notice from the post office. Later on, Applicant again attempted to serve Notice on the Non-applicant No. 2 but the postal envelop returned back to sender, Applicant, because the door of Non-applicant No. 2 was locked.

2] We are of the view that the service on the Non-applicant No. 2 is not effected.

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3] Therefore, Applicant is directed to re-serve the Notice on Non-applicant No. 2 by registered Post and simultaneously by substitute service.

4] Stand over to 3rd November, 2023 for affidavit of service with regard to Non-applicant No. 2.


(DR. K. SHIVAJI)

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(SHRIRAM R. JAGTAP)