

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

**MISC. APPLICATION NO.1057/22 (delay)
IN
16] APPEAL NO. AT006000000134136 OF 2022**

M. K. Y. Infrastructure

... Applicant

-VS-

Pankaj Mishra & Ors.

...Non-applicant

Adv. Makarand Raut for Applicant.

Adv. Vivek Machha for Non-applicant nos. 1 to 4, 6 to 14, 16 to 19, 22 to 30, 33 to 38 and 40 to 44.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 08th DECEMBER, 2023

(THROUGH VIDEO CONFERENCE)

A perusal of record would show that appellant has served notice on Respondent No.5 Mrs. Lalita Dharampal Sharma. The tracking report clearly indicates service of notice on Respondent No.5 Mrs. Lalita Dharampal Sharma. Despite this she has failed to appear in the matter. Therefore, delay condonation application is to proceed ex-parte against Respondent No.5 Mrs. Lalita Dharampal Sharma.

2. It further reveals from record more particularly affidavit of service that despite intimation the Respondent No.15 Mr. Dhananjay N. Anumandla did not collect the postal envelope from the post office. It means the applicant has sent notice on the correct address of the respondent no.15

Syestop

Mr. Dhananjay N. Anumandla. Therefore, we are of the view that his is a proper service of notice on the Respondent No.15 Mr. Dhananjay N. Anumandla. However, he has failed to appear in the matter. Therefore, delay condonation application is to proceed ex-parte against the Respondent No.15 Mr. Dhananjay N. Anumandla.

3. The record further reveals that Applicant sent notice to Respondent No.21 Mrs. Renu Anil Singh by registered post. The tracking report and the postal envelope clearly indicates that this respondent has left her address. It means this is not a proper service. Applicant to take steps for service of notice on Respondent no.15 Mrs. Renu Anil Singh.

4. Record further reveals that applicant has served notices on Respondent No.31 Mr. Arunkumar Sitlaprasad Pandey and Respondent No. 39 Mr. Shera Kojaram Karwasara. Affidavit of service and postal acknowledgment receipt with respect to Mr. Arunkumar Sitlaprasad Pandey clearly indicate service of notice on Respondent No.31 Mr. Arunkumar Sitlaprasad Pandey. So far as Respondent no.39 Mr. Shera Kojaram Karwasara is concerned, the tracking report clearly indicates service of notice on this respondent. Despite service of notices Respondent No.31 Mr. Arunkumar Sitlaprasad Pandey and Respondent No. 39 Mr. Shera Kojaram Karwasara have not appeared in the matter. Therefore, delay condonation application is to proceed ex-parte against these respondents.

Syagtar

5. Stand over to 19th January 2024 for service of notice on Respondent No.21 Mrs. Renu Anil Singh and for filling affidavit of service.


(DR. K. SHIVAJI)

vk


(SHRIRAM R. JAGTAP)