

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**MISC. APPLICATION NO. 278 OF 2023 (Stay)
IN
APPEAL NO. AT006000000134162**

Balaji Construction Company	... Appellant
-VS-	
Jayantilal Makwana	... Respondent

APPEAL NO. AT006000000134167

Balaji Construction Company	... Appellant
-VS-	
Prashant S. Mahajan	... Respondent

**MISC. APPLICATION NO. 277 OF 2023 (Stay)
IN
APPEAL NO. AT006000000134185**

Balaji Construction Company	... Appellant
-VS-	
Hetal B. Shah & Anr.	... Respondents

**MISC. APPLICATION NO. 273 OF 2023 (Stay)
IN
APPEAL NO. AT006000000134186**

Balaji Construction Company	... Appellant
-VS-	
Shashikumar Mishra & Anr.	... Respondents



MISC. APPLICATION NO. 280 OF 2023 (Stay)

IN

APPEAL NO. AT006000000134187

Balaji Construction Company

... Appellant

-VS-

Achala Abhijit Patil

... Respondent

MISC. APPLICATION NO. 275 OF 2023 (Stay)

IN

APPEAL NO. AT006000000134188

Balaji Construction Company

... Appellant

-VS-

Chintan Mahesh Shah & Anr.

... Respondents

MISC. APPLICATION NO. 274 OF 2023 (Stay)

IN

APPEAL NO. AT006000000134189

Balaji Construction Company

... Appellant

-VS-

Anjusha A. Kadam & Anr.

... Respondents



MISC. APPLICATION NO. 279 OF 2023 (Stay)

IN

APPEAL NO. AT006000000134199

Balaji Construction Company

... Appellant

-VS-

Vikram B. Shah & Anr.

... Respondents

Mr. Gauraj Shah, Advocate for Appellant.

Ms. Neha Shah, Advocate for Respondent in sr. no.22.

Mr. Prashant S. Mahajan, Respondent-in-person in sr. no.23.

Mr. Anwar Landge, Advocate for Respondent in sr. no.24 to 29.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 27th SEPTEMBER, 2023

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference.

2] Learned counsel for Appellant seeks time as a last chance, to file his calculation for compliance of the Proviso to Section 43(5) of the Act in accordance with the direction of the Hon'ble Bombay High Court and as per the orders dated 26.07.2023 and 25.08.2023.

3] Compliance of the Proviso to Section 43(5) of the Real Estate (Regulation and Development) Act of 2016 is mandatory and statutorily pre-requisite to entertain the appeal.



4] Appellant is still seeking time to submit the detailed calculations for the compliance.

5] However, in the interest of justice, last chance is granted to Appellant to file and serve copy of calculations and comply with the requirement of the proviso within one week from the date of uploading of this order, failing which appropriate order will be passed on the next date.

6] Stand over to 11th October, 2023.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP, J.)