

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**48] M. A. NO. 36/2023 (stay)  
IN  
APPEAL NO. AT006000000144236 OF 2023**

Mr. Navin S. Rajgor & Anr.

... Appellants

-VS-

M/s. Mahavir Construction & Ors.

... Respondents

**With  
49] M. A. NO. 37/2023 (stay)  
IN  
APPEAL NO. AT006000000144238 OF 2023**

Sangita Umesh Ved & Anr.

... Appellants

-VS-

M/s. Mahavir Construction & Ors.

... Respondents

**With  
50] M. A. NO. 38/2023 (stay)  
IN  
APPEAL NO. AT006000000144239 OF 2023**

Mrs. Arpita B. Shah & Anr.

... Appellants

-VS-

M/s. Mahavir Construction & Ors.

... Respondents

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*Adv. Prachi Patel for Appellants.*

*Adv. Vineet Randive for Respondent Nos.7 to 10.*

*Adv. Aarti Churi for Respondent Nos.1,3,4,5 and 11.*

*None for Respondent Nos.2,6,12 and 13.*

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

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

**DATE : 14<sup>th</sup> OCTOBER, 2023**

*S. Jagtap*

**(THROUGH VIDEO CONFERENCE)**

Adv. Prachi Patel submits that pursuant to the direction of this Tribunal, the Appellants have intimated today's date of hearing in writing to Respondent Nos.2, 6, 12 and 13 and filed affidavit of service.

2. A perusal of affidavit of service would show that letter by which the Appellant has intimated today's date of hearing to these Respondents is not on record. Therefore, we are of the view that there is no proper service on these Respondents.

3. Appellants are directed to give intimation of next date of hearing to Respondent Nos.2, 6, 12 and 13 in writing and file affidavit of service.

4. Adv. Prachi Patel submits that the Respondents have filed reply to main appeal and the appellants have filed rejoinder to the reply filed by Respondent. So far as rest Respondents are concerned, pleadings are complete.

5. Appellant and Respondent nos.1, 3, 4, 5 and 7 to 11 are directed to file written submissions.

6. Stand over to 05 January 2024 for filing written submission by rest Respondent and for filing affidavit of service with respect to Respondent Nos.2, 6, 12 and 13.



**(DR. K. SHIVAJI)**



**(SHRIRAM. R. JAGTAP)**