

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

**Appeal No. AT006000000144333/2023**

Mrs. Gauri Dalmia

... Appellants

V/s.

Marvel Realtors & Developers Ltd.

2 Ors.

... Respondents

---

*Adv. Mr. Karan Parmar for Appellants*

*None for Respondents*

---

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

**DATE : 17<sup>th</sup> October, 2023**

**(THROUGH VIDEO CONFERENCING)**

None for Respondents.

2] Record shows that Respondents were directed to file reply to amended Appeal. Despite this the Respondents have failed to file reply to amended Appeal.

3] It further reveals that the Respondents have not filed reply to Appeal.

4] On 06.06.2023 Advocate Mr. Amit Patil had appeared for Respondent No.1 and undertook to file Vakalatnama for Respondent No.1. Despite this till date Advocate Mr. Amit Patil has not filed Vakalatnama on behalf of Respondent No.1.

5] It further transpires that the affidavit of service filed by the Appellant clearly indicates that Respondent Nos.2 and 3 are duly served. Apart from this, Appellant has given intimation of next date of hearing i.e. 13.07.2023 in writing to Respondent Nos.2 and

*S. Jagtap*

3. Despite this Respondent Nos.2 and 3 have failed to appear in the matter. Therefore, Appeal is to proceed ex-parte against Respondent Nos.2 and 3.

6] It is seen from the affidavit of service that Respondent No.1 is duly served with Notice. Despite this, today nobody is appearing for Respondent No.1.

7] As indicated above, Advocate Mr. Amit Patil was representing Respondent No.1 but he has not filed Vakalatnama on behalf of Respondent No.1. Therefore, Appeal is to proceed ex-parte against Respondent No.1.

8] Appellant is directed to file written submissions.

9] Stand over to 14<sup>th</sup> December, 2023 for filing written submissions by Appellant.

  
(DR. K. SHIVAJI)

  
(SHRIRAM R. JAGTAP)