

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

1] M.A. No. 650/23 (Delay)

WITH

M.A. No. 647/23 (Stay)

IN

APPEAL NO. AT006000000174722/23

Sanvo Resorts Pvt. Ltd.

... Applicant

-VS-

Mr. Aniket A. Kadam & Anr.

... Non-applicant

Adv. Prasanna S. Tare for Appellant.

None for Respondents.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 23th OCTOBER, 2023

(THROUGH VIDEO CONFERENCE)

Learned Adv. submits that appellant has served Delay Condonation Application and appeal memo on Non-applicant. The appellant has also given intimation of next date of hearing in writing to non-applicant/respondent by speed post and also by hand delivery, but the non-applicants/respondents did not accept the notice, however, today appellant has received postal acknowledgment receipt which shows service of notice of today's date of hearing has been effected on the non-applicants. However, no material is placed on record to show that appellant has successfully given intimation of today's date of hearing to non-applicants.

Matter is kept back. So as to enable the applicant to produce material on record to show that applicant has given intimation of today's date of hearing to non-applicants.

S. Jagtap

Later on, 1.10 PM

Same appearance.

Adv. Prasanna Tare submits that the appellant has given intimation of today's date of hearing to respondents in writing and filed affidavit of service.

A perusal of affidavit of service would show that the appellant is given intimation of today's date of hearing to respondents/non-applicants by registered post. The tracking reports clearly indicate service of notices on the non-applicants. Despite this, they have failed to appear in the matter. However, one more chance is given to non-applicants for their appearance and for filing reply to Dealy Condonation Application.

Stand over to 7th December 2023 for appearance of non-applicants and for filing reply to Delay Condonation Application.


(DR. K. SHIVAJI)

ARP


(SHRIRAM. R. JAGTAP)