

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**14] M.A. NO. 194 OF 2023 (I.R.)
WITH
M.A. NO. 195 OF 2023 (Prod. of Dcts.)
IN
APPEAL NO. AT006000000021187 of 2019**

Mrs. Pramila S. Parkhe

... Appellant

-VS-

M/s. Ayodhya Construction Co. & 9 Ors.

... Respondents.

Adv. Arun Panickar for Appellant.

Adv. Cherin Lapashiya for Respondent no. 10.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 19th OCTOBER, 2023

(THROUGH VIDEO CONFERENCE)

In M.A. No. 195 of 23

We have heard learned counsel for parties. By Misc. Application no. 195 of 2023, the appellant has prayed to allow him to produce documents on the grounds that the documents are relevant to determine the controversy between the parties. However, the respondent society has stiff opposition to the application on the ground that the documents are not relevant for determining the controversy between the parties. We are of the view that if the production of documents is allowed subject to admissibility and relevancy of the documents with respect to matter in issue and without prejudice to the rights and contentions of the respondent society no prejudice will cause to respondent society. Therefore, Misc. Application no. 195 of 2023 is allowed. Production of

Jagtap

documents is allowed subject to admissibility and relevancy with regard to the matter in issue.

In M.A. No. 194 of 2023

Now the pleadings are complete. Parties have already filed written submissions therefore, the M.A. no. 194 of 2023 will be decided along with main appeal.

IN APPEAL

Learned Adv. Arun Panickar submits that Deputy Registrar cooperative has passed order in the matter filed by society and appointed administrator. Learned Adv. Cherin Lapashiya submits that the society had filed appeal before joint Divisional Registrar and joint Divisional Registrar has dismissed the appeal. Being aggrieved by the said. The society has filed appeal before Mantralaya and the same is pending. Learned Adv. Arun Panickar submits that since administrator is appointed by Deputy Registrar therefore, the reply and written submissions filed by society cannot be taken into consideration.

Adv. Cherin Lapashiya seeks adjournment on the ground that the appeal filed by society is pending before Mantralaya. In view of this submission matter is adjourned.

Stand over to 18th December 2023 for final hearing.


(DR. K. SHIVAJI)

ARP


(SHRIRAM. R. JAGTAP)