

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

**(17) M.A. No. 506/23 (Prod. of Docs)
IN
APPEAL NO. AT001000000031669/19**

Mr. Dattatray W. Avhad

... Appellant

-VS-

M/s. Linker Shelter Pvt. Ltd. & 5 Ors.

... Respondents

**(18) M.A. No. 343/19 (Stay)
WITH
M.A. No.154/20 (Direction to Appellant to pay Rs. 1,39,433/-)
WITH
M.A. No. 442/23(Prod. of Docs.)
IN
APPEAL NO. AT001000000031698/19**

M/s. Linker Shelter Pvt.

... Appellant

-VS-

Mr. Dattatray W. Avhad

... Respondent

*Mr. Vikas Saindane, Advocate for Appellant in sr. no. 17 and Respondent
in sr. no. 18.
Mr. Sarthak Diwan, Advocate for Respondent in sr. no. 17 and Appellant in
sr. no. 18.*

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 7th DECEMBER, 2023

(THROUGH VIDEO CONFERENCE)

MISCELLANEOUS APPLICATION NO. 506/23

Heard learned counsel for parties.

2. Adv. Sarthak Diwan submits that he has no objection.
3. Perused.



4. Seven documents in the captioned Misc. Application No. 506/23 are essential for effective adjudication of the disputes in the current appeal. Accordingly, the captioned Misc. Application is allowed by keeping the point of admissibility open to be rebut by the other side on merits without prejudice to the rights and contentions of the parties.

5. Accordingly, Misc. Application No. 506/23 is disposed of as allowed, and all the documents mentioned herein are taken on record as above.

6. No costs.

MISCELLANEOUS APPLICATION NO. 442/23

7. Heard learned counsel for parties in extenso.

8. Adv. Sarthak Diwan submits that these documents are essential and relevant.

9. Adv. Vikas Saindane vehemently opposed the Misc. Application No. 442/23.

10. Perused.

11. All the documents are set out in the captioned Misc. Application are essential for effective adjudication of the disputes and controversies in the captioned appeal. Accordingly, captioned Misc. Application No. 442/23 is allowed by keeping the point of admissibility open to be rebut by the other side on merits without prejudice to the rights and contentions of the parties.

12. Liberty to the other side to file additional reply, if any, and complete



the pleadings.

13. Accordingly, Misc. Application Nos. 442/23 is disposed of as allowed and these documents taken on record as above.

14. Accordingly, these documents are taken on record.

15. Stand over to 29th Jan. 2024 for completion of pleadings and written submissions.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP)

MS/-