

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

APPEAL NO. AT006000000052936/21

Mrs. Rajani K Walawalkar

... Appellant

-VS-

Matoshree Properties

... Respondent

Mr. E. A. Sasi, Advocate for Appellant.

Mr. Abhishek Bhat a/w Adv. Nikita Jacob, Advocate for Respondent.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 25th OCTOBER, 2023

(THROUGH VIDEO CONFERENCE)

Adv. Abhishek Bhat submits that appeal has not been filed within the limitation period, if it is counted from the date of the affirmation, which is shown at page no. 8 on 26th Oct. 2021, whereas the order under challenged is dated 26th Nov. 2020, passed by MahaRERA.

- 2) In response, Adv. E. A. Sasi submits that appeal has been filed online and the requisite payment has also been made on 26th Jan. 2022. This is within the prescribed time limit of 60 days.
- 3) He further submits that even from the date of affirmation, there is no delay if we take into the account of the benefits provided by the Hon'ble Supreme Court in the suo-moto Writ Petition no. 3/2020 (Civil), which is extended from time to time for extension of the limitation period starting from 15th Mar. 2020 till 28th Feb. 2022.
- 4) In view of above, we find that appeal is filed well within the limitation period as it is squarely covered under the decision of the Hon'ble Supreme Court (supra).
- 5) Accordingly, the said delay in filing of the captioned appeal stands condoned.



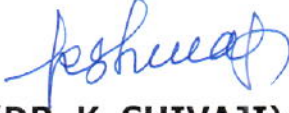
6) No costs.


IN APPEAL NO. AT006000000052936/21

7) Learned counsel for parties confirm that written submissions have been filed and exchanged.

8) Adv. Abhishek Bhat seeks time for arguments.

9) Stand over to 8th Jan. 2024 for final hearing.


(DR. K. SHIVAJI)


(SHRIRAM. R. JAGTAP)

MS/-