

Nalawade

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL  
MUMBAI**

**(9) MISC. APPLICATION NO. 491 OF 2022 (Stay)  
WITH**

**MISC. APPLICATION NO. 879 OF 2022  
(Interim Application)**

**IN**

**APPEAL NO. AT006000000053740 OF 2022**

Etco Builders Pvt. Ltd.

... Appellant

-VS-

Bhavin Ashwin Jhaveri & Anr.

... Respondents

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**(10) MISC. APPLICATION NO. 558 OF 2022 (Stay)  
WITH**

**MISC. APPLICATION NO. 880 OF 2022  
(Interim Application)**

**IN**

**APPEAL NO. AT006000000053741 OF 2022**

Etco Builders Pvt. Ltd. & Ors.

... Appellants

-VS-

Ashwin S. Jhaveri & Ors.

... Respondents

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**(11) MISC. APPLICATION NO. 559 OF 2022 (Stay)  
WITH**

**MISC. APPLICATION NO. 881 OF 2022  
(Interim Application)**

**IN**

**APPEAL NO. AT006000000053742 OF 2022**

Etco Builders Pvt. Ltd. & Ors.

... Appellants

-VS-

Mugdha S. Jhaveri & Ors.

... Respondents

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**(12) MISC. APPLICATION NO. 560 OF 2022 (Stay)**  
**WITH**  
**MISC. APPLICATION NO. 882 OF 2022**  
(Interim Application)  
**IN**  
**APPEAL NO. AT006000000053743 OF 2022**

Etco Builders Pvt. Ltd. & Ors. ... Appellants

-VS-

Saumil A. Jhaveri & Ors. ... Respondents

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**(13) MISC. APPLICATION NO. 561 OF 2022 (Stay)**  
**WITH**  
**MISC. APPLICATION NO. 883 OF 2022**  
(Interim Application)  
**IN**  
**APPEAL NO. AT006000000053744 OF 2022**

Etco Builders Pvt. Ltd. & Ors. ... Appellants

-VS-

Mehul P. Mestry & Ors. ... Respondents

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**(14) APPEAL NO. AT006000000063796 OF 2022**

Ashwin H. Jhaveri ... Appellant

-VS-

Etco Builders Pvt. Ltd. & Ors. ... Respondents

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**(15) APPEAL NO. AT006000000063800 OF 2022**

Saumil A. Jhaveri ... Appellant

-VS-

Etco Builders Pvt. Ltd. & Ors. ... Respondents

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**(16) APPEAL NO. AT006000000063801 OF 2022**

Bhavana Jhaveri ... Appellant

-VS-

Etco Builders Pvt. Ltd. & Ors. ... Respondents

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**(17) APPEAL NO. AT006000000063802 OF 2022**

Mugdha S. Jhaveri ... Appellant

-VS-

Etco Builders Pvt. Ltd. & Ors. ... Respondents

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**(18) APPEAL NO. AT006000000063803 OF 2022**

Mehul P. Mestry ... Appellant

-VS-

Etco Builders Pvt. Ltd. & Ors. ... Respondents

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*Ms. Padma Chinta a/w. Mr. Anwar Landge, Advocate for M/s. Etco Builders Pvt. Ltd.*

*Mr. Abhishek Bhat, Advocate for Allottees.*

*Mr. Sharmad Kane a/w. Ms. Devanshi Bafna, Advocate for Zenal Construction Pvt. Ltd.*

*Ms. Rajani Kanojiya, Advocate for Shree Nityanand CHS. Ltd.*

*None for Etco Zenal Developers.*

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

**DR. K. SHIVAJI, MEMBER (A)**

**DATE : 06<sup>th</sup> NOVEMBER, 2023**

(THROUGH VIDEO CONFERENCE)

Learned counsel for parties joined the conference.

2] Advocate Ms. Padma Chinta submits that Respondent No.3



i.e., M/s. Ecto Zenal Developers has already been intimated in writing about today's hearing date and affidavit of service along with acknowledgement of Mr. R. M. Patil on behalf of M/s. Ecto Zenal Developers has also been filed.

3] Perused.

4] Respondent No.3 i.e., *M/s. Ecto Zenal Developers* is duly intimated about today's hearing date. Accordingly, appeals to proceed *ex-parte* against Respondent No.3 in all the matters.

5] Advocate Mr. Sharmad Kane, learned counsel for Respondent No.2 i.e., M/s. Zenal Construction Pvt. Ltd. seeks further time to file and circulate reply.

6] Respondent No.2 to file reply within two weeks.

7] Liberty to other sides to file rejoinder, if any.

8] Stand over to 22<sup>nd</sup> January 2024 for completion of pleadings.

**(DR. K. SHIVAJI)**

**(SHRIRAM. R. JAGTAP, J.)**