

**BEFORE THE MAHARASHTRA REAL ESTATE  
APPELLATE TRIBUNAL, MUMBAI**

**APPEAL NO. AT006000000031530 OF 2019**

Mr. Dinesh Jain & Anr.

.. Appellants

-VS-

M/s A-Surti Developers Pvt. Ltd.

.. Respondent

**WITH**

**APPEAL NO. AT006000000031531 OF 2019**

Mr. Omprakash J. Sharma & Anr.

.. Appellants

-VS-

M/s A-Surti Developers Pvt. Ltd.

.. Respondent

**WITH**

**APPEAL NO. AT006000000031532 OF 2019**

Mrs. Parvin J. Dumasia & Anr.

.. Appellants

-VS-

M/s A-Surti Developers Pvt. Ltd.

.. Respondent

**WITH**

**APPEAL NO. AT006000000031533 OF 2019**

Mr. Anil B. Agarwal

.. Appellant

-VS-

M/s A-Surti Developers Pvt. Ltd.

.. Respondent

**WITH**

**APPEAL NO. AT006000000031534 OF 2019**

Mr. Mukesh B. Agarwal

.. Appellant

-VS-

M/s A-Surti Developers Pvt. Ltd.

.. Respondent

*Sp. J. Surti*

**WITH**  
**APPEAL NO. AT006000000031535 OF 2019**

Mr. Champatlal B. Jain

.. Appellant

-VS-

M/s A-Surti Developers Pvt. Ltd.

.. Respondent

**WITH**  
**APPEAL NO. AT006000000031536 OF 2019**

Mr. Laxmanbhai H. Patel (H.U.F.)

.. Appellant

-VS-

M/s A-Surti Developers Pvt. Ltd.

.. Respondent

**WITH**  
**APPEAL NO. AT006000000031558 OF 2019**

Mr. Anand Achyut Patil & Ors.

.. Appellants

-VS-

M/s A-Surti Developers Pvt. Ltd.

.. Respondent

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*Adv. Mr. Sachin Mandlik for Appellant in Sr.No.3 to 9.*

*Adv. Ms. Chaitali Jadhav for Appellant in Sr.No.10.*

*Adv. Ms. Shivane Shrivastava for Respondent in Sr.No. 3 to 10.*

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**CORAM : SHRIRAM R. JAGTAP, MEMBER (J) &  
DR. K. SHIVAJI, MEMBER (A)**

**DATE : 15<sup>th</sup> September, 2023.**

**(THROUGH VIDEO CONFERENCING)**

Adv. Shivane Shrivastav seeks time to file written submissions. Respondent is directed to serve copy of written submissions to other side. She further submits that Respondent has not received copy

*S. Jagtap*

of written submissions filed by appellants.

2. Adv. Mr. Sachin Mandlik and Adv. Ms. Chaitali Jadhav undertake to serve the copies of their written submissions to Respondents.

3. Adv. Ms. Chaitali Jadhav submits that the appellant has intimated the next date of hearing to respondent no.2 and filed affidavit of service. A perusal of affidavit of service would show that appellant has given intimation of next date of hearing to M/s Utangale and company, appearing for Respondent No.2. We are of the view that this is a proper service. Despite this Respondent No.2 has failed to appear in this matter. Respondent No.2 has filed reply (page 864) to appeal. However, Respondent No.2 has failed to file written submissions. Last chance is granted to respondent no.2 to file written submissions.

4. Appellant is directed to reserve notice to respondent no.3 and file affidavit of service.

5. Stand over to 31<sup>st</sup> October 2023 for filing written submissions by Respondent Nos.1 and 2 and for filing affidavit of service with respect to Respondent No.3 by appellant.

  
(DR. K. SHIVAJI)

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(SHRIRAM R. JAGTAP)