

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

APPEAL NO. G-9 OF 2022

Mr. Murtaza Abbas Nasikwala

... Appellant

-VS-

M/s. Electic Developers Pvt. Ltd.

... Respondent

Adv. Aseem Pathan for Appellant.

None for Respondent.

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

DR. K. SHIVAJI, MEMBER (A)

DATE : 14th OCTOBER, 2023

(THROUGH VIDEO CONFERENCE)


None for Respondent. A perusal of record reveals that appellant was directed to communicate next date of hearing to respondent in writing and file affidavit of service. Pursuant thereto, the appellant had intimated next date of hearing in writing to respondent by letter dated 11.04.2023 and filed affidavit of service on 03.05.2023. A perusal of affidavit of service would show that appellant had intimated next date of hearing i.e. 3.05.2023 in writing to respondent and tracking report clearly indicate that service has been effected. It further transpires that on 23.06.2023, Mr. Dinesh Yadav the project manager of respondent had appeared in the matter and sought time to appoint a lawyer and to file reply. The matter was adjourned to 20th July 2023. On that day Mr. Dinesh Yadav the project manager of the respondent had appeared and sought time to file reply. Today none has appeared on behalf of the respondent. Apart

S. Jagtap

from this despite ample opportunity, the respondent has neither filed Vakalatnama nor reply and remained absent. Therefore, appeal is to proceed ex-parte against respondent.

Appellant is directed to file written submissions.

Stand over to 2nd January, 2024 for filing written submissions by appellant.


(DR. K. SHIVAJI)

ARP


(SHRIRAM. R. JAGTAP)