

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

Appeal No. AT001000000031741

Mr. Nitin Shewale & Anr. ... Appellants

Versus

M/s. Sanklecha Constructions Pvt. Ltd.& Ors. ... Respondents

Adv. Rahul S. Kadam a/w Akshay Kapadia for Appellants.

Adv. Abhishek Pungliya for Respondents.

ALONG WITH

Appeal No. AT001000000031665

Sanklecha Constructions. Pvt. Ltd. ... Appellant

Versus

Sudhir Deepak Bhagwati ... Respondent

Adv. Abhishek Pungliya for Appellant.

Adv. Rahul S. Kadam a/w Akshay Kapadia for Respondent.

ALONG WITH

Appeal No. AT001000000031668

Sanklecha Constructions. Pvt. Ltd. ... Appellant

Versus

Nitin Madhukar Shewale ... Respondent

Adv. Abhishek Pungliya for Appellant.

Adv. Rahul S. Kadam a/w Akshay Kapadia for Respondent.

**CORAM : SUMANT M. KOLHE, MEMBER (J)
S.S. SANDHU, MEMBER (A)**

DATE : 11th JANUARY, 2021

COMMON ORDER BELOW APPEAL NOS.
AT001000000031741, AT001000000031665 &
AT001000000031668

[PER: SUMANT KOLHE, MEMBER(J)]

Appeal No. AT001000000031741 is filed by Allottees. Appeal No. AT001000000031665 and Appeal No. AT001000000031668 are filed by Promoter. Impugned order dated 29th May, 2019 passed in Complaint Nos. CC001000000000100 and CC001000000000102 are challenged in these Appeals.

Learned counsel for Appellants and learned counsel for Respondent submit that Allottees and Promoter are dissatisfied with the impugned order. They submit that impugned order be set-aside and Complaint be remitted back to MahaRERA for hearing and deciding the matters afresh by keeping open all the points and objections of the parties to be decided on merit.

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2. In view of challenge raised by both the parties in respect of the impugned order and with consent of both the parties we dispose of these Appeals and set-aside the impugned order. Consequently, we remand the Complaint to MahaRERA for fresh hearing. All the points and objections are kept open to be decided on merit after giving opportunity of hearing to both the parties.

3. Misc. Application No. 359/19 (Stay) in Appeal No. AT001000000031665 & Misc. Application No. 360/19 (Stay) in

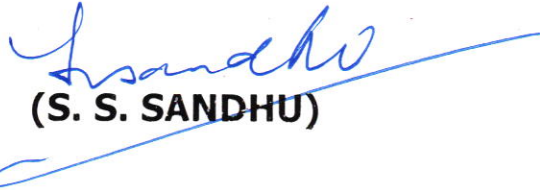
Appeal No. AT00100000031668 are disposed of accordingly.

4. Parties to appear before MahaRERA on 16.02.2021.

5. Both the parties and their advocates to furnish their respective e-mail Id to the office of RERA well before the scheduled date of appearance i.e., 16.02.2021 for facilitating communication in respect of hearing by MahaRERA.

6. No order as to costs.

7. Order be sent to both the parties and MahaRERA as per Section 44(4) of RERA.


(S. S. SANDHU)


(SUMANT KOLHE)

SJD/-