

MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL

1) M.A. IN AT005000000010524

Mr. Vijay Jalan ... Applicant
V/s
Mr. Nitin Bhimrao Mahajan ... Respondent

2) M.A. IN AT005000000010628

Mr. Vijay Jalan ... Applicant
V/s
Mr. Hemant Patil ... Respondent

3) M.A. IN AT005000000010629

Mr. Vijay Jalan ... Applicant
V/s
Mr. Sanjay Bawangade ... Respondent

4) M.A. IN AT005000000010630

Mr. Vijay Jalan ... Applicant
V/s
Mr. Sagar Ramu Daske ... Respondent



5) M.A. IN AT005000000010631

Mr. Vijay Jalan ... Applicant
V/s
Mr. Anis Jirake ... Respondent

6) M.A. IN AT005000000010632

Mr. Vijay Jalan ... Applicant
V/s
Mr. Ibrahim Sheikh ... Respondent

7) M.A. IN AT005000000010633

Mr. Vijay Jalan ... Applicant
V/s
Mr. Vikas Malpote ... Respondent

8) M.A. IN AT005000000010634

Mr. Vijay Jalan ... Applicant
V/s
Mr. Suresh Firake ... Respondent

9) M.A. IN AT005000000010635

Mr. Vijay Jalan ... Applicant
V/s
Mr. Satish Mohan Khaire ... Respondent



Coram : S.S. Sandhu, Member (A)

Date : 10th April, 2019

Called.

2. None for Appellant.
3. Mr. Vikas Malpote, Authorized Representative of Respondents present.
4. It is observed that, Appellant has remained absent since inception and has also not submitted hard copies of appeals as required. As a part of procedure, when the appeal is filed online, Respondent gets an automatic intimation about the same from the system.
5. Pursuant to the aforementioned intimation, Respondent filed Miscellaneous Applications seeking dismissal of these appeals since Appellant/Promoter has not only failed to pay the amount in compliance of the order impugned by Applicant, but he also failed to submit hard copies of the appeals filed.
6. In view of these Misc. Applications, these Appeals were fixed for hearing on 15.3.2019. On the said date, the Applicants submitted that these Appeals have been filed online on 29.9.2018 after an inordinate



delay. Even after filing the appeals, Appellant has not taken any steps to prosecute the same. Respondents have also repeatedly prayed for dismissal of these appeals on every date of hearing

7. In order to avoid denial of natural justice to Appellant, directions were given to issue notices to Appellant and the matters were kept for hearing on 25.3.2019. On the said date also, despite notice, Appellant remained absent. Pending the verification of date of filing of online appeals by Registrar, the appeals were listed for dismissal on 2.4.2019. On 2.4.2019 also authorized representative of Respondents was present but Appellant remained absent again. The Registrar also submitted report that Appeals have been filed online on 29.9.2018 as submitted by Respondent earlier. The fact remains that Appellant has not so far submitted hard copies of appeals. Though, allottees/Respondents pressed again for dismissal of appeals, last chance was given to Appellant to appear in the matters in the interest of natural justice and appeals were listed for dismissal on 10.4.2019.

8 Today also, no one has appeared from Appellant's side whereas Respondents remained present through their authorized representative Mr.Malpote.

9 It is clear from the aforementioned facts that despite giving several chances, in the interest of natural justice to appear, the Appellant has not availed the same and failed to take any steps to



prosecute these appeals. Therefore, these appeals deserve to be dismissed for want of prosecution.

10. In the premise, these appeals stand dismissed for want of prosecution with costs and Miscellaneous Applications stand disposed of accordingly.


(S.S.Sandhu)