

BEFORE THE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL, MUMBAI

Order in condonation of delay

In

M.A. Nos. 15/19

In

AT006000000010589

M/s. Sakshi Properties Pvt. Ltd.

V/s.

M/s. Sharayu Developers Pvt. Ltd

(Mr. Ameya Ranade, Advocate for Applicant.

Mr. Salman Shaikh, Advocate for Non-Applicant.)

CORAM : **INDIRA JAIN J.,CHAIRPERSON**
S.S. SANDHU, MEMBER (A)

DATE : **27th SEPTEMBER, 2019.**

Called.

Heard Learned Counsel for parties.

By this application Applicant / Original Complainant seeks condonation of delay of 1 month 7 days in filing application for restoration of appeal. Application is vehemently objected by Learned Counsel for Non-Applicant.

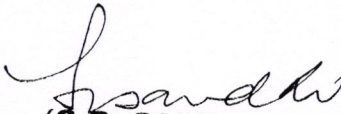
Learned Counsel for Applicant submits that the order of dismissal in appeal was passed on 1st February, 2019. The same was uploaded on website on 27th February, 2019. According to the Learned Counsel in fact there is delay of 7 days but due to inadvertence it is mentioned in the application as 1 month 7 days. In support of his submissions, Learned Counsel has placed reliance on the printout from website showing that the order was uploaded on 27th February, 2019 though the same was passed on 1st February 2019. The reasons assigned for delay are supported on affidavit.

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Though in reply Non-Applicant has objected the reasons, facts stated in application have not been controverted on affidavit. As we do not see that delay is intentional or deliberate we are inclined to allow the application.

Application is allowed. Delay condoned.

No costs.


(S.S. SANDHU)

ed(7).


(INDIRA JAIN J)