

**MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL,  
MUMBAI.**

MA No. 330/19 (Stay) &  
MA No. 384/19 (Delay)  
AT006000000031611

M/s. Adarsh Industrial Estate Pvt. Ltd.	..	Applicant
V/s.		
Malati Ashok Gupta	..	Non-applicant

*Ms. Gauri Tyagi Advocate i/b Akash Menon, for applicant*  
*Mr. Syed Ahmed, Advocate for non-applicant.*

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

**DATE : 28<sup>th</sup> JANUARY, 2020.**

**ORDER BELOW MA No. 384/2019.**

Read application for condonation of delay and say.

Heard learned counsel for both the sides.

There is delay of about 3 to 4 days in preferring the appeal.

Learned counsel for applicant submits that there is no deliberate or intentional delay on the part of appellant in preferring appeal. She submits that there was some technical difficulty in filing online appeal and hence, delay was caused. She further submits that applicant had contacted the concerned officers to overcome the technical difficulty and thereafter appeal was filed online successfully but with a delay of 3 to 4 days. According to her, there is sufficient cause for condonation of delay.

Learned counsel for non-applicant submits to pass appropriate order.

Considering the submissions of both the sides, we are of the opinion that sufficient cause is made out for condonation of delay. There is no any deliberate or intentional delay.

Hence, we allow the application for condonation of delay and pass the following order.

- i. Misc. Application No. 384/2019 is allowed.
- ii. Delay condoned.
- iii. No order as to costs.

**APPEAL NO. AT006000000031611**

Both the counsel are present.

Proviso to Section 43(5) of the RER Act, 2016 is already complied.

Respondent seeks time to file reply to stay application and appeal memo.

Time granted.

List the matter on 11.03.2020 for reply to stay application and appeal memo.

  
( S. S. SANDHU )

M(J)/kdp/10

  
( SUMANT KOLHE )