

**MAHARASHTRA REAL ESTATE APPELLATE
TRIBUNAL UNDER RERA ACT**

(28)

No.AT005000000010344

M/s. Marvel Zeta Developers Pvt. Ltd... Appellant/s
V/s.
1. Mrs. Shakuntala Omprakash Zanvar
2. Mr.Nitin Dwarkadas Nyati ..Respondent/s

(29)

No.AT005000000010354

M/s. Marvel Landmarks Pvt. Ltd. .. Appellant/s
V/s.
1. Rohan Narayan Dawkhar
2. Narayan Ramchandra Dawkhar ..Respondent/s

(30)

No.AT005000000010353

M/s. Marvel Landmarks Pvt. Ltd. .. Appellant/s
V/s.
1. Subodh Shantilal Shah
2. Shruti Subodh Shah ..Respondent/s

CORAM :Hon'ble Shri K. U. CHANDIWAL, J.
President, Maharashtra Revenue Tribunal, Mumbai
& I/c. Maharashtra Real Estate Appellate Tribunal
under Maharashtra RERA Act
DATED:-16th October, 2018

:- ORDER :-

Called out at 3.20 P.M.

Adv. Amit Patil for the Promoter Marvel Sigma and
also Respondent No.1, in other appeals of Allottees.

Prashant Jhavar, s/o. Shakuntala Jhavar in appeal no.
10344.



Adv. Dhananjay, Srinivas & Co. for Respondent no.3
10353 at Sr.No.30

Adv. Aishwarya Gokhale for allottee / Respondent
nos. 1 & 2 at Sr.No.29.

Adv. Prabhanjan Gujar for Respondent nos. 1 & 2.
(allottee) in appeal no. 10353.

In Promoter's appeal referred to above on 4th
September, 2018, the promoter was directed to
deposit 40% of the amounts in tune with Section
43(5) – Proviso of RERA in respective orders of Ld.
Adjudicating Officer, MahaRERA, Pune (subject of
appeal). Such deposits were expected to be complied
with upto 8th October, 2018.

It was indicated, failure to comply, without further
reference the appeals shall be dismissed.
Consequent upon the said order, the appeals were
fixed on 10th October, 2018 and thereafter today. It
is informed by MahaRERA office and confirmed by Ld.
Adv. Shri Patil for the Appellant / Promoter that the
orders of deposit dated 4th Sept. 2018 are not
complied.

In the above situation, since orders are not complied
which is mandatory in its nature and character, no
audience/hearing can be given to the Promoter /
appellant seeking redressal to challenge the order of
Ld. Adjudicating Officer, MahaRERA, Pune.

Consequently the respective three appeals of the
Promoter fails and they are dismissed.

No costs.



Place: Mumbai (K. U. CHANDIWAL, J.)
Dated: 16th October, 2018 President,
Maharashtra Revenue Tribunal,
Mumbai
& I/c. Maharashtra Real Estate
Appellate Tribunal, (MahaRERA),
Mumbai