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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 22 OF 2020
IN
REJECTED CASE NO. 2364 OF 2019**

M/s. Anshul Bhosale RealtyApplicant

IN THE MATTER BETWEEN

M/s. Anshul Bhosale RealtyApplicant

V/s.

Sucheta Deshpande and othersRespondents

Mr. Mandar Soman for the applicant

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 27, 2020.

P.C.

The Second Appeal under Section 58 of Real Estate (Regulation and Development) Act, 2016 ('RERA' for the sake of brevity) came to be dismissed for non removal of office objections.

2] Learned counsel for the applicant submits that default was

unintentional.

3] For the reasons disclosed in the application, delay of 21days stands condoned. Appeal is restored to file. Time of two weeks is granted to remove office objections as undertaken, failing which, order dismissing Appeal shall govern the proceedings.

4] It has been rightly pointed out that order impugned is passed by a judicial member and the administrative member was not party to it. As contemplated under Section 55 of the RERA, above coram is mandatory.

5] My attention is invited to the order dated 17/10/2019 passed in Second Appeal Stamp No. 14061 of 2019. Issue notice to respondents in view of provisions of Section 43 and Section 55 of the RERA, returnable on 10/02/2020.

[NITIN W. SAMBRE, J.]