

IN THE HIGH COURT OF BOMBAY AT GOA

**LD-VC-OCW-24-2020**

Edcon Real Estate Developers and others .... Appellants

Versus

M/s. Despamont .... Respondent.

Shri A. F. Diniz, Senior Advocate with Shri Ryan Menezes,  
Advocate for the appellants.

**Coram:- NUTAN D. SARDESSAI, J.**

**Date :- 2<sup>nd</sup> June,2020**

**P.C.:**

Heard Shri A. F. Diniz, learned Senior Advocate for the appellants.

2. Admit on the following substantial questions of law:

A. Whether the Hon'ble Tribunal was correct in holding that the Respondent was an "aggrieved person" who was entitled to maintain a complaint under Section 31 of the Act before the Hon'ble Authority and/or an appeal under Section 44 of the Act before it?

B. Whether the impugned Judgment is vitiated by the failure of the Hon'ble Tribunal to consider and decide the

questions that arose for its determination and/or the arguments advanced before it?

C. Whether the failure of the Hon'ble Tribunal to consider and/or apply the exemption certificate dated 24/07/2018, issued by the Hon'ble Authority, which certificate was neither challenged, nor set aside, which continued to operate and had attained finality, has vitiated the impugned Judgment of the Hon'ble Tribunal?

D. Whether the impugned Judgment is vitiated by the failure of the Hon'ble Tribunal to consider that the Appellants had obtained completion certificate, in respect of the said Project, on 22/01/2018, from the NGPDA, well before the last date of registration i.e. 23/03/18, and consequently, the project was not required to be registered?

**NUTAN D. SARDESSAI, J.**

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