

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-64/2023

U.P. AWAS EVAM VIKAS PARISHAD

.....Appellant

Versus

BHUPENDRA PRASAD SINGH BHUPENDRA PRASAD SINGH

.....Respondent

Counsel for Appellant

ANURAG SINGH

Counsel for Respondent

RESPONDENT IN-PERSON

Hon'ble Mr. Justice (Dr.) D.K. Arora, Chairman

Hon'ble Mr. K.K. Jain, Technical Member

No one is present on behalf of respondent.

Order-sheet reveals that on 02.05.2023 Sri Ankit Tripathi alongwith Sri Anilesh Tiwari, Advocates appeared and filed their Vakalatnama on behalf of respondent and sought 10 days' time for filing objections to the application for condonation of delay as well as to the grounds of appeal, but till date the respondent did not choose to file objections.

Today, an application for adjournment has been filed by Sri Ankit Tripathi, Advocate on the ground of his being out of station. No request has been made by the other counsel Sri Anilesh Tiwari.

The record further reveals that 10 days' time was granted on the request of counsels for the respondent for filing objections but the same has not been filed and the 10 days expired on 12.05.2023. The respondent even after expiry of more than 02 months did not choose to file objections, therefore we are of the constraint to close the opportunity of respondent for filing objections in order to achieve the mandates of Section 44(5) of the Act, 2016.

List this defective appeal for consideration of application for condonation of delay and hearing on **05.09.2023**.

It is open for the counsels for the respondent to make legal submissions and refer the record available on the memo of appeal during the course of hearing.

(K.K. Jain)

(D.K. Arora)

Dated: 13.07.2023

PRADEEPKUMAR