

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 2

EA-1946/2022

IN

Appeal/31/2021

AJAY PRATAP SINGH

.....Appellant

Versus

AGRANI HOMES PVT LTD

.....Respondent

Counsel for Appellant

Counsel for Respondent

Hon'ble Mr. T.B. Singh, Judicial Member

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

Case called on.

Counsel Sri Arvind Kumar Shukla on behalf of decree holder, and Sri Rana Ranbeer Singh, judgment debtor alongwith his counsel Sri Sanjay Awasthi are present.

Counsels for the decree holder and judgment debtor submitted that as per application of judgment debtor dated 25.11.2022, District Magistrate, Varanasi is very much reluctant to comply with the orders dated 11.10.2022 & 18.10.2022 passed by the Hon'ble Tribunal, as mentioned in Para-1(b) & (c). Counsel for the judgment debtor further submitted that he has narrated these facts explicitly in application dated 25.11.2022 under Para-4 of the application dated 25.11.2022.

We perused the application wherein it is mentioned that “.....*That due to non-compliance of the orders by the authorities the entire process of refund has been stalled for too long and the liabilities of the Respondent Company is increasing day by day but the Respondent Company is restricted to comply the orders due to non-compliance of the orders passed to District Magistrate, Varanasi and U.P. RERA.....*”

Having heard the learned counsels for the parties.

We are of the considered view that in the above situation this clearly means defying of the orders passed by this Tribunal. Defying the order of the Tribunal is Contempt of the Court.

District Magistrate, Varanasi is directed to comply with the orders dated 11.10.2022 and 18.10.2022 in true legal spirit, failing which the legal proceedings shall be initiated as per provisions of the Act.

Copy of this order alongwith earlier orders dated 11.10.2022 & 18.10.2022 be sent to the District Magistrate, Varanasi and Secretary, U.P. RERA, as early as possible.

List this case on **13.12.2022** for further order.

(K.K. Jain)

(T.B. Singh)

**Dated: 25.11.2022**  
PRADEEPKUMAR