

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-392/2022

GAURSONS HI-TECH INFRASTRUCTURE PRIVATE LIMITED

.....Appellant

Versus

DEEPALI NAYYARDEEPALI NAYYAR

.....Respondent

Counsel for Appellant

Counsel for Respondent

SAMRAT VAISH

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

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

Sri. Samrat Vaish, learned counsel for the applicant submitted that the Regulatory Authority passed the impugned order awarding compensation to the tune of Rs.1,00,000/- (Rs. One lac only) to the respondent. Since calculation is not required, no C.A. Certificate has been filed. Learned counsel for applicant further submitted that he has deposited Rs.1,00,000/- (Rs. One lac only) through Bank draft and receipt of the same has been filed. Learned counsel for applicant further submitted that Bank draft has been submitted under Section 43(5) of the Act, 2016 through I.A. Due to technical glitch, we could not check the Bank draft copy. Registry/Accounts department of the Tribunal is directed to verify and clarify the same and submit report before the next date of listing.

Sri Samrat Vaish, learned counsel for the applicant submitted that he will try to remove the defects as indicated by the Registry again within a week.

In the interest of justice and subject to removal of defects, we issue notice to the respondent on the application for condonation of delay, returnable on 19.07.2022.

Registry is directed to generate a notice for 19.07.2022 and send the same through email to the applicant within 48 hours. The applicant after downloading the notice will send it through speed post to the respondent annexing copy of application for condonation of delay as well as memo of appeal and its annexures within three days. The applicant will also send the application for condonation of delay as well as memo of appeal and its annexures, annexing notice issued by the Tribunal through e-mail to the respondent within three days. The applicant will file an affidavit of service annexing copy of postal

receipt and transaction report of e-mail sent to the respondent as well as copy of the track record of the postal department regarding service of notice upon the respondent.

On receipt of the notice, it is open for the respondent to send objections to the application for condonation of delay as well as grounds of appeal to the applicant and her counsel through e-mail within 10 days. Reply, if any, will be sent by the applicant to the respondent within a week thereafter. The parties/legal representatives are directed to upload their respective objection/reply on the e-portal of the Tribunal immediately thereafter.

List this defective appeal on **19.07.2022** for consideration of application for condonation of delay and hearing.

(K.K. Jain)

(D.K. Arora)

Dated: 20.06.2022
VIJAYKUMAR