

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 2

APPEAL-798/2021

CHAKSHU PAHWA

.....Appellant

Versus

GAURSONS HI-TECH INFRASTRUCTURE PRIVATE
LIMITEDGAURSONS HI-TECH INFRASTRUCTURE PRIVATE
LIMITED

.....Respondent

Counsel for Appellant

SAURABH MISRA
KRISHNA KUMAR SINGH

Counsel for Respondent

SAMRAT VAISH
NP SINGH

Hon'ble Mr. T.B. Singh, Judicial Member
Hon'ble Mr. K.K. Jain, Technical Member

Case called on.

Counsel Sri Saurabh Misra on behalf of appellant, and counsel Sri Samrat Vaish on behalf of respondent appeared.

Counsel for the appellant submitted that basically the appellant/complainant has sought the relief for refund of the amount alongwith interest as prescribed in law but learned Regulatory Authority has passed the order beyond the relief as prayed before it. He further submitted that thus, the order has been passed by the learned Regulatory Authority is beyond the pleadings hence the impugned order be set-aside.

Rebutting the arguments of learned counsel for the appellant, counsel for the respondent submitted that project in question is delayed because of force majeure circumstances. He further submitted that appellant has not paid the installments in time.

List this appeal on **21.10.2022** for rest arguments.

(K.K. Jain)

(T.B. Singh)

Dated: 20.09.2022
PRADEEPKUMAR