

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-468/2022

MAHENDRA PRASAD MAURYA

.....Appellant

Versus

M/S ANS DEVELOPERS PRIVATE LIMITED(M/S SHALIMAR
LAKECITY PRIVATE LIMITED)M/S ANS DEVELOPERS
PRIVATE LIMITED(M/S SHALIMAR LAKECITY PRIVATE
LIMITED)

.....Respondent

Counsel for Appellant

Counsel for Respondent

SAURABH MISRA
KRISHNA KUMAR SINGH
GAUTAM JOHRI

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

As per submission of learned counsel for the applicant is that the present appeal has been filed with a delay of about 16 days.

On examination, we found that the Registry in its report has mentioned that the appeal has not been filed within the period of limitation. It appears that the Registry inadvertently registered this defective appeal into regular appeal.

The Registry is directed to check and take corrective steps and convert this appeal into defective appeal.

Let notice be issued to the respondent on the application for condonation of delay, returnable on 11.08.2022.

The Registry is directed to generate a notice for 11.08.2022 and send the same through e-mail 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 and memo of appeal and its annexures within

three days. The applicant will also send the copy of application for condonation of delay and 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 notice, it is open for the respondent to send soft copy of objections to the application for condonation of delay as well as grounds of appeal to the applicant and his 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 appeal on **11.08.2022** for consideration of application for condonation of delay and hearing.

(K.K. Jain)

(D.K. Arora)

Dated: 14.07.2022
SYEDTANVEER