

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 2

APPEAL-225/2024

ATUL KUMAR MISRA

.....Appellant

Versus

U.P. AWAS EVAM VIKAS PARISHAD

.....Respondent

Counsel for Appellant

AMIT YADAV

Counsel for Respondent

SAURABH MISRA

GAUTAM JOHRI

Hon'ble Mr. Sanjai Khare, Judicial Member

Hon'ble Mr. Rameshwar Singh, Administrative Member

Sri Amit Yadav, learned counsel for appellant and Sri Gautam Johari and Sri Saurabh Mishra, learned counsel for respondent are present.

Pleadings have been exchanged.

Learned counsel for appellant submits that present appeal has been filed against the impugned order passed by the Regulatory Authority regarding the limitation period for filing the complaint before the Regulatory Authority. He further submits that provisions of limitation Act are not applicable on the RERA Act 2016 and there is no limitation for filing the complaint before the Regulatory Authority under Section 18 of RERA Act 2016.

Learned counsel for respondent submits that although there is no limitation prescribed for filing of complaint before the Regulatory Authority under Section 18 of RERA Act, 2016 but provisions of limitation act will apply and reasonable time should be assessed for filing the complaint before the Regulatory Authority otherwise misuse of limitation period is possible.

Above submissions of both sides are only for the guidance to address on issues regarding limitation and nothing has been observed on merit.

List this appeal with other appeals of similar nature for orders/hearing on **20.02.2025**.

(Rameshwar Singh)

(Sanjai Khare)

Dated: 28.01.2025

IRFAN