

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 2

APPEAL-136/2022

DR. NIKHIL MISHRA

.....Appellant

Versus

PARAMOUNT PROPBUILD PVT. LTD.PARAMOUNT PROPBUILD
PVT. LTD.

.....Respondent

Counsel for Appellant

BAL KISHOR VERMA ADVOCATE
AMIT YADAV

Counsel for Respondent

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

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

Case called on.

Counsel Sri Amit Yadav on behalf of appellant, and counsel Sri K.K. Singh on behalf of respondent appeared.

Counsel Sri K.K. Singh submitted that he has filed his Vakalatnama on behalf of respondent but the same is not visible on the e-Portal of U.P. REAT.

Heard on the point of limitation against which no written objection has been filed.

Without going into depth of contents of limitation application, it is obvious that impugned order relates to 30.12.2020 against which rectification application was filed and the same was allowed on 05.08.2021 and this rectification order was uploaded on official website of Regulatory Authority on 11.08.2021, thereafter the instant appeal was filed on 19.01.2022 i.e. after a delay of approximately 99 days in view of Section 44(2) of the Act.

It is well known that the COVID-19 period was effective during the period from 15.03.2020 to 28.02.2022 and in view of judgment passed by Hon'ble Apex Court in Suo Moto Writ (C) No. 3 of 2020 relaxation has been granted to all the litigants preferring suit, appeal or legal proceedings in the Courts/Tribunals.

In the light of above, application for condonation of delay deserves to be allowed. Accordingly, delay in filing the instant appeal is condoned. Registry is directed to register this defective appeal as regular appeal.

Respondent is directed to file reply to the grounds of appeal, and copy of the same will be sent on the respective e-mail addresses of the appellant and her counsel.

List this appeal on **06.07.2022** for further order.

(K.K. Jain)

(T.B. Singh)

Dated: 27.04.2022
PRADEEPKUMAR