

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-692/2023

UPPAL CHADHA HI-TECH DEVELOPERS PVT. LTD.

.....Appellant

Versus

MADHU AGGARWALMADHU AGGARWAL

.....Respondent

Counsel for Appellant

Counsel for Respondent

AMIT YADAV

BAL KISHOR VERMA

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

Hon'ble Mr. Sanjai Khare, Judicial Member

Sri Amit Yadav, Advocate, learned counsel for the applicant is reported to be on sanctioned leave till 22.12.2023.

As per office report an amount of Rs 19,64,452/- has been deposited through on 21.10.2022 in compliance of Section 43 (5) of the Act 2016. In support of amount deposited under Section 43 (5) of the Act 2016, the CA certificate has also been placed on record.

Subject to objections from other side with reference to compliance of Section 43 (5) of the Act 2016, and in order to achieve mandate of Section 44 (5) of the Act 2016, we issue notice to the respondent on application for condonation of delay, returnable on **17.01.2024**.

The Registry will generate a notice for **17.01.2024** and send the same through e-mail to the applicant and his counsel within 48 hours. The applicant after downloading the notice will send it through speed-post to the respondent annexing application for condonation of delay and memo of appeal and its annexures within three days. The applicant will also send the soft 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 the notice, it is open for the respondent to send objections to the application for condonation of delay as well 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 defective appeal for consideration of the application for condonation of delay and hearing on **17.01.2024**.

(Sanjai Khare)

(D.K. Arora)

Dated: 19.12.2023
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