

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-904/2021

BALBIR SAHAI SAXENA

.....Appellant

Versus

JUGUL KISHORE COLONISERS PRIVATE LTD.

.....Respondent

Counsel for Appellant

RAJESH CHADHA

R U VERMA

Counsel for Respondent

RAKESH PANDEY

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

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

Sri Sachin Verma, Advocate holding brief of Sri R.U. Verma is present on behalf of appellant. Sri Balbir Sahai Saxena, appellant who appear in person in the Tribunal raised objection about appearing of Sri Sachin Verma though Yesterday Sri Sachin Verma argued the matter at length and at that moment no objection was raised. We deprecate the conduct of the appellant and release Sri Sachin Verma, and permit the appellant to argue his case in person.

Counsel for the respondent submitted that no formal handing over or taking over of the unit has been done. The key of the flat was given to the appellant at the time of execution of convince deed and the appellant had also installed electricity connection and as per the averments made in the memo of appeal his various belongings are already in the concerned unit.

Learned counsel for the respondent is directed to place on record the documents/evidences to establish that the key of the unit has been given to the appellant, especially the date of handing over the key, the installation of the electricity connection and is there any proof regarding residing in the said unit, within a week. It is open for the respondent to place on record other documents in support of the possession of appellant. The softcopy of the affidavit will be sent to the appellant on his e-mail Id, within a week. List this appeal for orders on **04.04.2023**.

The appearance of the Managing Director is dispensed with till he is called again to appear.

(K.K. Jain)

(D.K. Arora)

Dated: 02.03.2023
PRADEEPKUMAR