

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-242/2023

RAHUL WADHWA

.....Appellant

Versus

DEEKSHA HOUSING PVT. LTD. DEEKSHA HOUSING PVT.
LTD.

.....Respondent

Counsel for Appellant
PRASHANT KUMAR
FUHAR GUPTA

Counsel for Respondent

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

Hon'ble Mr. Sanjai Khare, Judicial Member

Ms Fuhar Gupta, Advocate is present on behalf of appellant.

No one is present on behalf of respondent.

Learned counsel for the appellant has also filed affidavit for taking on record the copy of the publication made for service of notice on respondent in pursuance to the order dated 19.09.2023. The notice was published in two daily Newspapers, i.e. one in Hindi (Swadesh) and the other in English (Times of India) having wide circulation in the area i.e. District Agra where the registered office of the respondent is located/exist.

Submission of learned counsel for the appellant is that despite publication in two daily Newspapers in district Agra, respondent did not choose to appear. Therefore, service of notice through publication be treated sufficient on respondent and matter be proceeded ex-parte against respondent.

We have examined the submission of learned counsel for the appellant as well notice published in two daily Newspapers i.e. 'Swadesh' in Hindi and 'The Times of India' in English on 13.10.2023 and found that despite publication of notice in Newspapers, respondent did not choose to appear before Tribunal. We, therefore, treat the service of notice through publication on respondent sufficient and proceed ex-parte against respondent.

List this appeal for hearing on **07.03.2024**.

(Sanjai Khare)

(D.K. Arora)

Dated: 31.01.2024
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