

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-63/2022

MANISH KUMAR

.....Appellant

Versus

M/S SOLITAIRE INFRAHOME PVT. LTD.

.....Respondent

Counsel for Appellant
GAURAV VARMA

Counsel for Respondent

Hon'ble Mr. Justice (Dr.) D.K. Arora, Chairman
Hon'ble Mr. Rajiv Misra, Administrative Member

On consideration of application dated 28.01.2022, the case was listed today before the bench.

This defective appeal is taken up through video conferencing.

Shri Gaurav Verma, learned counsel for the applicant is present.

Record reveals that an application has been filed by the learned counsel for the applicant for seeking exemption from filing the certified copy of the impugned order. Learned counsel for the applicant was specifically asked under which provision of the Act of 2016 readwith Rules 2016, the Tribunal is empowered to grant exemption from filing certified copy of the impugned order, whereas, as per Rule 25(2)(a) of the U.P. Real Estate (Regulation & Development) Rules 2016, the certified copy of the impugned order is mandatory to be filed alongwith the memo of appeal.

At this stage, learned counsel for the applicant prays for and is granted 15 days' time to file certified copy of the impugned order dated 30.11.2021.

Issue notice returnable on 17.02.2022.

The Registry will generate notice and send the same through email to the applicant and his counsel. After receipt of the notice, learned counsel for the applicant will download the same and send the notice alongwith memo of appeal with its annexures and application for interim relief to the respondent through speed post. Learned counsel for the applicant will also send the copy of notice sent by the Registry alongwith soft copy of the memo of appeal with its annexures and application for interim relief through email to the respondent within a week. Learned counsel for the applicant will file an affidavit of service annexing the receipt of the track record of the speed post from the postal department regarding service on the respondent. Learned counsel for the applicant will also file a transaction slip of the email sent to the respondent.

List this defective appeal for consideration of application for interim relief on **17.02.2022.**

(Rajiv Misra)

(D.K. Arora)

Dated: 31.01.2022
GAURAVSRI