

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-162/2022

AJAY JOSHI

.....Appellant

Versus

**M R MITTALS INFRATECH PRIVATE LIMITED
M R MITTALS
INFRATECH PRIVATE LIMITED**

.....Respondent

**Counsel for Appellant
ABHISHEK KHARE
AAHUTI AGARWAL**

**Counsel for Respondent
SIDDHARTH NANDWANI**

**Hon'ble Mr. Justice Suneet Kumar, Chairman
Hon'ble Mr. Devindar Singh Chaudhry, Technical Member**

IA No. 856/2022 ((Delay Condonation Application))

1. Heard Ms. Aahuti Agarwal, learned counsel for the applicant/appellant, and Sri Siddharth Nandwani, counsel for the respondent at length.
2. The applicant/appellant by the instant application seeks condonation of delay of 539 days in filing the appeal. The impugned order came to be passed on 18.06.2020, which was uploaded on the portal on 30.07.2020. It is submitted that applicant was unable to file the appeal within the period of limitation as he suffered from COVID pandemic in May, 2021. Reliance is also being placed on a general order issued by Hon'ble Supreme Court extending the period of limitation.
3. Having due regard to COVID-19 pandemic, the limitation was extended until 29.05.2022. In the circumstances, it is submitted that delay in filing the appeal is not willful and deliberate, but bona-fide.
4. The learned counsel for the respondent does not dispute that due to COVID-19 pandemic, the limitation period was extended by the Hon'ble Supreme Court.

5. Cause shown is good and sufficient.
6. Accordingly, the application for condonation of delay in filing the appeal is allowed.
The delay is condoned.
7. **Registry is directed to convert the instant defective appeal into regular appeal.**
8. List this appeal for orders/hearing on **05.02.2025** along with records of **Appeal No. 599/2022 (Ajay Joshi Vs. U.P. Real Estate Regulatory Authority & Anr.)**.

(Devindar Singh Chaudhry)

(Suneet Kumar)

Dated: 28.01.2025
PRADEEPKUMAR