

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-140/2022

**U.P. STATE INDUSTRIAL DEVELOPMENT CORPORATION
LIMITED**

.....Appellant

Versus

GYANESH CHANDRAGYANESH CHANDRA

.....Respondent

**Counsel for Appellant
KARTIKEY DUBEY**

Counsel for Respondent

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

No one is present on behalf of the applicant.

It appears that the compliance of the provisions of Section 43(5) of the Act has been made by the applicant.

Though there are certain defects, indicated by the Registry which have not been removed, but in our considered view the defects indicated by the Registry will not come in way in issuing notice to the respondent. Accordingly, let notice be issued to the respondent, returnable on 05.04.2022.

The Registry will generate notice for 05.04.2022 and send the same through email to the applicant and its counsel within 48 hours. 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 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 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.

On receipt of the notice, it is open for the respondent to send objections to the applicant and its counsel through email within 10 days. Reply, if any, will be sent by the applicant to the respondent within a week thereafter.

The parties/LRs are directed to upload their respective pleadings on the e-portal of the Tribunal at least a week prior to the next date of listing.

Learned counsel for the applicant is directed to remove the defects by re-uploading of the readable pages indicated by the Registry within a week.

List this case for consideration of application for condonation of delay and hearing on **05.04.2022**.

(Rajiv Misra)

(D.K. Arora)

Dated: 11.03.2022
GAURAVSRI