

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-222/2021

SHYAMCHAND DE

.....Appellant

Versus

ANIL JAIN SHOUMYA SHUBHAM INFRASTRUCTURE PVT. LTD.Respondent

Counsel for Appellant
MADHUKAR OJHA

Counsel for Respondent
SWETANK SHARMA

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

The application for amendment in the memo of appeal has been filed on 13.12.2021. Learned counsel for the appellant wants to bring on record regarding the undertaking given by the parties before the SSP, Noida on 22.11.2017. The appellant also wants to add a prayer for setting aside the order dated 16.08.2019 passed by RERA Authority at Noida (annexure no. 1 to the memo of appeal). The copy of the same has also been annexed as annexure no. A-1 to the application.

Learned counsel for the respondent has no objection to the proposed amendment.

We have examined the submissions of learned counsel for the parties and perused the affidavit filed in support of the application for amendment in the memo of appeal.

On due consideration, and in the interest of justice, we allow the application. Learned counsel for the appellant is permitted to incorporate the proposed amendment within a week and file an amended copy on the e-portal of the Tribunal within a week.

It is open for the learned counsel for the respondent to file objections to the amended portion of the memo of appeal as well as to the amended prayer clause within a week. The respondent will send the copy of the same through email to the

appellant and his counsel within a week. Reply, if any, will be sent by the appellant to the respondent and its counsel within a week thereafter.

The parties/LRs are directed to upload their respective pleadings/documents on the e-portal of the Tribunal.

List this appeal for hearing on **21.01.2022**.

(Rajiv Misra)

(D.K. Arora)

Dated: 04.01.2022
GAURAVSRI