

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-373/2024

ANKUR PANDEY AND S K PANDEY

.....Appellant

Versus

AJPA PARISHAD SEHKARI AWAS SAMITI LTD

.....Respondent

Counsel for Appellant

Counsel for Respondent

HARISH PANDEY

Hon'ble Mr. Justice Suneet Kumar, Chairman

Hon'ble Mr. Devindar Singh Chaudhry, Technical Member

(I.A. No. 1970/2024; Application for condonation of delay)

Case has been taken in the revised call.

Shri Harish Pandey, learned counsel for the applicant/appellant is present. No one is present on behalf of the respondent.

The instant application has been filed, seeking condonation of delay of about 20 days in instituting the appeal. The impugned order came to be passed on 04.07.2024 and uploaded on the portal on the same date. The appeal was to be instituted on or before 03.09.2024.

It is submitted that the counsel appearing in the matter before the Regulatory Authority informed the appellant of the impugned order being uploaded on 21.07.2024. Thereafter, appellant contacted his counsel at Lucknow on 11.08.2024, seeking advice for further remedies. On 13.08.2024, the appellant along with other appellants had decided to challenge the impugned order in appeal on 22.08.2024. An application was filed for obtaining certified copy of impugned order, which was received on 30.08.2024 and, thereafter, appeal came to be drafted and

instituted. In this backdrop, it is submitted that the delay in instituting the appeal is not willful and deliberate, but the bonafide.

The cause shown and the explanation furnished is good and sufficient. Accordingly, the application is **allowed**. The delay in instituting the appeal is condoned.

The Registry is directed to **convert this appeal into regular appeal**.

List this appeal for hearing on **21.02.2024**.

In the meantime, objections, if any, to the appeal may be filed by the respondent.

(Devindar Singh Chaudhry)

(Suneet Kumar)

Dated: 30.01.2025
SYEDTANVEER