

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 2

APPEAL-162/2022

AJAY JOSHI

.....Appellant

Versus

M R MITTALS INFRATECH PRIVATE LIMITED
DM R MITTALS
INFRATECH PRIVATE LIMITED

.....Respondent

Counsel for Appellant
ABHISHEK KHARE
AAHUTI AGARWAL

Counsel for Respondent
SIDDHARTH NANDWANI

Hon'ble Mr. T.B. Singh, Judicial Member
Hon'ble Mr. K.K. Jain, Technical Member

Case called on.

Counsels Sri Abhishek Khare and Miss Aahuti Agarwal on behalf of applicant, and counsel Sri Abhishek Shukla on behalf of respondent appeared.

Heard on the delay condonation application.

Without going into depth of contents of limitation application, it is obvious that impugned order relates to 18.06.2020 and the same was uploaded on official website of Regulatory Authority on 30.07.2020, thereafter the instant appeal was filed on 22.03.2022 after a delay of approximately 539 days in view of Section 44(2) of the Act.

Both the counsels have submitted that the instant case is fully covered with the verdict given by the Hon'ble Apex Court in Suo Moto Writ (C) No. 3 of 2020.

Counsel for the respondent submitted that if the delay is condoned, he has no objection on the point, but he requested that case be quickly decided on merit. He further submitted that delay condonation application may be allowed and the case be decided on merit as early as possible.

In view of above, the delay condonation application is allowed. Registry is directed to register this defective appeal into regular appeal.

Respondent is given last opportunity to file reply to the grounds of appeal, and copy of the same will be sent on the respective e-mail addresses of the appellant and his counsels, before the date fixed.

List this appeal on **31.10.2022** for hearing.

(K.K. Jain)

(T.B. Singh)

Dated: 22.09.2022
PRADEEPKUMAR