

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-563/2023

CHANDRA PANDE

.....Appellant

Versus

LUCKNOW DEVELOPMENT AUTHORITY
LUCKNOW
DEVELOPMENT AUTHORITY

.....Respondent

Counsel for Appellant

ANOOP KUMAR

VINEET SRIVASTAVA

Counsel for Respondent

Hon'ble Mr. Sanjai Khare, Judicial Member

Hon'ble Mr. Rameshwar Singh, Administrative Member

Shri Anoop Kumar, Advocate is present on behalf of the appellant and Ms. Aahuti Agarwal, Advocate holding brief of Shri Abhishek Khare, learned counsel for the respondent, is present.

The learned counsel for the appellant submitted that sale-deed has been executed on 24.11.2023 and possession has been delivered to the appellant/allottee on 10.05.2024, therefore, the appellant is not pressing the relief for execution of sale deed and possession of the unit as mentioned in the relief clause of appeal. The learned counsel for the appellant submitted that rest reliefs as mentioned in the memo of appeal are pressed.

The learned counsel for the appellant referred the judgement and order dated 31.05.2023 passed by this Tribunal in Appeal No. 43/2020 (Manju Yadav Vs. LDA) and Judgement and order dated 14.09.2023 passed in Appeal No. 748/2022 (Raj Kumar Goyal Vs. Yamuna Expressway).

The learned counsel for the respondent submitted that there is no prescribed rate of interest. Rule 9(2) only mentions proforma and it is not a prescribed rate of interest.

Heard both counsels on appeal.

Judgement reserved.

(Rameshwar Singh)

(Sanjai Khare)

Dated: 26.09.2024
SYEDTANVEER