

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 2

APPEAL-121/2022

SUNIL KUMAR MISRA

.....Appellant

Versus

KANPUR DEVELOPMENT AUTHORITY KANPUR DEVELOPMENT
AUTHORITY

.....Respondent

Counsel for Appellant
PRAKHAR DIXIT

Counsel for Respondent

Hon'ble Mr. T.B. Singh, Judicial Member

Hon'ble Mr. K.K. Jain, Technical Member

Case called on.

Counsel Sri Prakhari Dixit on behalf of applicant, and counsel Sri Bhupendra Singh on behalf of respondent appeared.

Learned counsel for the applicant submitted that sale deed of the flat in question has been executed in favour of the applicant but the possession of the same has not been handed over to the applicant till date. He further submitted that respondent-Kanpur Development Authority has still not obtained OC/CC of the flat in question. Counsel for the respondent submitted that respondent-Kanpur Development Authority will handover possession of the flat in question to the appellant within 10 days.

Counsel for the respondent submitted that the Kanpur Development Authority has issued demand letter to the applicant, he also submitted that applicant has deposited all the dues.

On this point counsel for the applicant submitted that dues had been paid to the respondent under protest.

Counsel for the applicant is directed to file objection against the demand letter, if he wants, before the date fixed, and copy of the same will be sent on the respective e-mail addresses of the respondent and its counsel, before the date fixed.

List this defective appeal on **12.09.2022** for further order.

(K.K. Jain)

(T.B. Singh)

Dated: 18.08.2022
PRADEEPKUMAR