

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-71/2022

RAMESH KUMAR DHADWAL

.....Appellant

Versus

AIMS RG ANGEL PROMOTERS PRIVATE LIMITED
AIMS RG
ANGEL PROMOTERS PRIVATE LIMITED

.....Respondent

Counsel for Appellant

KSHEMENDRA SHUKLA
ATHARVA ARYA
ANUBHAV PRAKASH SRIVASTAVA

Counsel for Respondent

DR. AZHAR IKRAM
MANISH SINGH

Hon'ble Mr. Justice (Dr.) D.K. Arora, Chairman
Hon'ble Mr. K.K. Jain, Technical Member

Dr. Azhar Ikram, learned counsel for the respondent raised a preliminary objection and submitted that in this bunch of appeals the appellants were not complainants before the Regulatory Authority. In the name of rectification filed on 05.10.2020 in the original order dated 02.03.2020 in the complaint of Mohit Bansal and Neha Jain through a rectification application words “and others” were got included and in the garb of word “others” the non complainants have filed the appeals before this Tribunal.

Sri Kshemendra Shukla, learned counsel for the applicant submitted that a proper application with the name of persons who were to be made complainant were moved before the Regulatory Authority after passing of the final order dated 02.03.2020 and the same was allowed and the word “other” was added in the said complaint Nos. NCR144/09/2300/2019 (Mohit Bansal) and complaint No. NCR144/09/2059/2019 (Neha Jain and Jitendra), and therefore the record of the complaint mentioned in the impugned order be summoned from the Regulatory Authority.

Appreciating the submissions of learned counsels for the parties and in order to verify the status of the appellants especially at what stage they have become the complainant before the Regulatory Authority, we summon the record of complaints mentioned below decided by the Regulatory Authority on 02.03.2020 :-

- (i) NCR144/09/1725/2019 (Prem Jain and Kuldeep Chand Jain)
- (ii) NCR144/09/1128/2019 (Manju Ranjan Tiwari and others)
- (iii) NCR144/09/2300/2019 (Mohit Bansal); and
- (iv) CR144/09/2059/2019 (Neha Jain and Jitendra)

The Registrar of this Tribunal is directed to follow with the Secretary, U.P. RERA for sending the record of the abovementioned complaints before the next date of listing.

List this appeal for orders/hearing on **01.08.2023**.

(K.K. Jain)

(D.K. Arora)

Dated: 19.05.2023
PRADEEPKUMAR