

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-14/2022

NEETU SANJAY GANGWAR

.....Appellant

Versus

LUCKNOW DEVELOPMENT AUTHORITY

.....Respondent

Counsel for Appellant

Counsel for Respondent

ABHINAV SINGH

SHASHANK SINGH

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

Hon'ble Mr. Rajiv Misra, Administrative Member

Shri Shashank Singh, Advocate is present on behalf of the applicant. No one is present on behalf of the respondent.

An affidavit of service has been filed in pursuance to order dated 06.01.2022 annexing the receipt of the dasti notice delivered in the office of Vice-Chairman of the Lucknow Development Authority on 28.01.2022. Apart from the service on respondent through dasti summon on 28.01.2022, the notice sent by post has been delivered on 01.02.2022. Besides, the moment when any appeal is uploaded, an auto-generated link goes on the email IDs of the parties registered with the RERA. Similarly, all orders are being uploaded and a link is generated and goes to the parties and parties can download the memo of appeal alongwith annexures, orders of the Tribunal of the respective dates. Therefore, it cannot be said that the respondent is unaware about the present proceedings.

Though Shri Anurag Singh, a penal lawyer of LDA is present and submitted that he has informed about the pendency of this case to the officials of the LDA, but he could not get any instructions. Hence, we can again reiterate that the concerned officials of the LDA are fully aware about the pendency of the present proceedings.

Since no one is present on behalf of the respondent despite service, we treat the service on the respondent sufficient.

However, in the interest of justice, we grant 10 days time to the respondent for filing objections to the grounds of appeal. The respondent is directed to send the copy of the same on the email ID of the applicant and her counsel within 10 days. Reply, if any, will be sent by the applicant to the respondent within a week thereafter.

The parties/LRs are directed to upload their respective pleadings on the e-portal of the Tribunal in the respective folders immediately after expiry of the aforesaid period.

List this case for consideration of application for condonation of delay and hearing on **13.04.2022**.

It is made clear that if no objection is filed or no one appears on the next date of listing, the matter may proceed ex-parte against the respondent.

Learned counsel for the applicant, the Registry and Shri Anurag Singh are directed to communicate this order through email additionally to the concerned official of the LDA.

(Rajiv Misra)

(D.K. Arora)

Dated: 23.03.2022
GAURAVSRI