

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 2

APPEAL-526/2021

LUCKNOW DEVELOPMENT AUTHORITY

.....Appellant

Versus

VINAY PRAKASH SINGH VINAY PRAKASH SINGH

.....Respondent

Counsel for Appellant

AMIT YADAV

Counsel for Respondent

HRIDESH SRIVASTAVA

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

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

Case called on.

For detailed orders, see our judgment and order passed in Appeal No. 448/2020 on separate sheets.

ORDER

The appeal of the appellant, Lucknow Development Authority (i.e. Appeal Nos. 448 of 2020, 574 of 2021, 779 of 2021, 180 of 2021, 182 of 2021, 775 of 2021, 888 of 2021, 902 of 2021, 771 of 2021, 781 of 2021, 782 of 2021, 258 of 2021, 261 of 2021, 599 of 2021, 48 of 2021, 49 of 2021, 528 of 2021, 408 of 2020, 410 of 2020, 526 of 2021, 594 of 2021, 268 of 2021, 297 of 2021, 278 of 2021 and 26 of 2022) is rejected.

The amount deposited towards Section 43(5) of the Act, 2016 be transferred to the concerned account of the Regulatory Authority forthwith for disposal as per provisions of the Act because the details of the amount recovered/or to be recovered from the appellant-Lucknow Development Authority is available only with the Regulatory Authority.

The respondent/complainant of Appeal Nos. 448 of 2020, 574 of 2021, 779 of 2021, 180 of 2021, 182 of 2021, 775 of 2021, 888 of 2021, 902 of 2021, 771 of 2021, 781 of 2021, 782 of 2021, 258 of 2021, 261 of 2021, 599 of 2021, 48 of 2021, 49 of 2021, 528 of 2021, 408 of 2020, 410 of 2020, 526 of 2021, 594 of 2021, 268 of 2021, 297 of 2021, 278 of 2021 and 26 of 2022, is at liberty to move an application after expiry of the period prescribed for appeal/revision for release of the amount deposited under Section 43(5) of the Act, before the learned Regulatory Authority.

No order as to costs.

The copy of this order be sent to the Regulatory Authority immediately for taking necessary action in the matter.

Let the copy of this judgment and order be placed on the record of Appeal Nos. 574 of 2021, 779 of 2021, 180 of 2021, 182 of 2021, 775 of 2021, 888 of 2021, 902 of 2021, 771 of 2021, 781 of 2021, 782 of 2021, 258 of 2021, 261 of 2021, 599 of 2021, 48 of 2021, 49 of 2021, 528 of 2021, 408 of 2020, 410 of 2020, 526 of 2021, 594 of 2021, 268 of 2021, 297 of 2021, 278 of 2021 and 26 of 2022.

(K.K. Jain)

(T.B. Singh)

Dated: 17.11.2022
VIJAYKUMAR