

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

RA-3752/2021

TRIPTA CHUGH

.....Appellant

Versus

PARSVNATH DEVELOPERS LIMITED

.....Respondent

Counsel for Appellant

Counsel for Respondent

Hon'ble Mr. Justice (Dr.) D.K. Arora, Chairman
Hon'ble Mr. Rajiv Misra, Administrative Member

This is an application for recall of order dated 29.11.2021.

Submission of learned counsel for the applicant is that the counsel for the applicant could not reach the Tribunal well in time due to traffic jam and by the time he reached the Tribunal the case had already been dismissed for want of prosecution.

Submission of learned counsel for the applicant is that non-appearance before the Tribunal on 29.11.2021 was not deliberate and was beyond control and, therefore, in the interest of justice the order dated 29.11.2021 be recalled.

We have examined the submission of learned counsel for the applicant and perused the application for recall of order dated 29.11.2021. The cause shown for non-appearance is sufficient. The application is allowed. The order dated 29.11.2021 is recalled and the case is restored to its original number.

Learned counsel for the appellant prays for and is granted a week's time to file reply to the objection of the respondent. He undertook to send a copy of the reply to the respondent and its counsel, through email, within a week and file the same in the Registry at least a week before the next date of listing, after uploading it on the e-portal of the Tribunal.

List this appeal for final hearing on **07.01.2022**.

(Rajiv Misra)

(D.K. Arora)

Dated: 16.12.2021
SHAKIR