

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-282/2024

PANKJ BHARGAVA

.....Appellant

Versus

M/S KRISHNA ESTATE DEVELOPERS PVT LTD

.....Respondent

Counsel for Appellant
KSHEMENDRA SHUKLA

Counsel for Respondent
HARISH PANDEY

Hon'ble Mr. Justice Suneet Kumar, Chairman

Hon'ble Mr. Sanjai Khare, Judicial Member

Hon'ble Mr. Rameshwar Singh, Administrative Member

Sri Kshemendra Shukla, learned counsel for the applicant and Sri Harish Pandey, learned counsel for the respondent are present.

Heard learned counsels for the parties on application for condonation of delay.

Causes for delay in filing appeal, shown by the applicant are sufficient, accordingly application for condonation of delay is allowed and the delay in filing the instant appeal is condoned.

Registry is directed to convert instant defective appeal into regular appeal.

On a specific query, learned counsel for the respondent has submitted that he has oral instructions that third party rights in respect of the unit in question have already been created.

Learned counsel for the respondent is directed to bring on record the sale deed, if any, executed between the promoter and third party.

In the event of non-execution of sale deed till now, the respondent promoter is **restrained** from executing the same.

In the meantime parties are directed to exchange pleadings.

We grant 10 days' time to respondent for filing objections and sending soft copy of the same to the appellant and his/her counsel on the registered e-mail

ID. On receipt of objections, reply if any, will be filed by the appellant within week, thereafter.

List this appeal for hearing/orders on **08.11.2024**.

(Rameshwar Singh)

(Sanjai Khare)

(Suneet Kumar)

Dated: 30.09.2024

MANSINGH