

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW**Division Bench Court No. 2****APPEAL-101/2020**

U.P. AVAS EVAM VIKAS PARISHAD

.....Appellant

Versus

ARVIND CHAUDHARY

.....Respondent

Counsel for Appellant**Counsel for Respondent**

TUSHAR BAHADUR

Hon'ble Mr. T.B. Singh, Judicial Member**Hon'ble Mr. K.K. Jain, Technical Member**

File put up today for hearing.

On behalf of the appellant, Counsel Sri Akhand Pratap Singh appeared. From the side of the respondent, Counsel Sri Tushar Bahadur is present.

Learned counsel for the appellant submitted that he has filed his rejoinder/replication against the reply to the appeal.

During the course of arguments learned counsel for the respondent submitted that in this case a very minor issue involved regarding delay payment of the money. Counsel for the respondent submitted that sale deed of the flat in question has already been executed on 09.05.2018 and the respondent has taken possession of the said flat on 29.06.2019. Learned counsel for the appellant stated that the date of offer of possession was 18.06.2019.

Learned counsel for the appellant, Sri Akand Pratap Singh stated that U.P. Awas Evam Vikas Parishad has paid (adjusted) Rs. 9,48,125/- from the amount which was payable to appellant by the respondent. He further stated that appellant is not liable to pay any more amount as delay penalty.

The respondent is directed to give the details of amount receivable from appellant (if any) after adjust of 9,48,125/-. The appellant is also directed to file detailed calculation chart certified by Chartered Accountant in this respect.

The respondent is directed to present in person by the date fixed. The appellant is also directed to appear through Commissioner/Authorized Representative who is empowered to take decision regarding settlement in this matter on the date fixed.

List this appeal on 23.03.2021 for further order.

(K.K. Jain)

(T.B. Singh)

Dated: 27.01.2021

SYEDALI