

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-193/2021

LUCKNOW DEVELOPMENT AUTHORITY

.....Appellant

Versus

SMT. NEERJA GUPTA AND SHRIRAJESH GUPTA

.....Respondent

Counsel for Appellant

SAURABH MISRA

Counsel for Respondent

VIKRAM GUPTA

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

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

Heard Shri Saurabh Misra, learned counsel for the appellant and Shri Ashif Anees, learned counsel for the respondent.

In pursuance to order dated 29.09.2022, learned counsel for the appellant submitted that the facts about the arbitration proceedings was mentioned before the Regulatory Authority as well as in the instant appeal, but the appellant is only aggrieved with respect to the rate of interest for delay in possession awarded by the Regulatory Authority by means direction no. 2 of impugned order. Learned counsel for the appellant further submitted that as the respondent has not raised any grievance by challenging the findings of Regulatory Authority in issue no. 3, therefore it will not be appropriate for this Tribunal to examine this issue in the appeal of the appellant.

Learned counsel for the respondent admits that he has not challenged any finding of the Regulatory Authority.

Judgment reserved.

(K.K. Jain)

(D.K. Arora)

Dated: 16.12.2022

GAURAVSRI