

MISS BABLI

.....Appellant

Versus

M/S GANPATI INFRASTRUCTURE DEVELOPERS COMPANY. LTDRespondent

Counsel for Appellant

Counsel for Respondent

SHAILESH KUMAR SRIVASTAVA

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

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

Sri Shailesh Kumar Srivastava, learned counsel for the applicant, submitted that he has removed the defects indicated by the Registry.

Submission of learned counsel for the applicant is that the impugned order dated 22.11.2021 was uploaded on the e-portal of RERA and communicated to the parties on 20.12.2021. The limitation for filing the present appeal was upto 19.02.2022 whereas the appeal was filed on 17.02.2022. Initially there was defect regarding deposit of fee, that too has also been removed by the learned counsel for the applicant.

Further submission of learned counsel for the applicant that the present appeal has been filed within the period of limitation and there is no defect, therefore, the present appeal be converted into Regular Appeal.

Registry is directed to convert this defective appeal into Regular Appeal.

Issue notice to the respondent returnable on 26.08.2022.

The Registry will generate a notice for 26.08.2022 and send the same through e-mail to the applicant and his counsel within 48 hours. The applicant, after downloading the notice, will send it through speed post to the respondent annexing the copy of memo of appeal and its annexures within three days. The applicant will also send copy of memo of appeal and its annexures, annexing notice issued by the Tribunal through e-mail to the respondent within three days. The applicant will file an affidavit of service annexing copy of postal receipt and transaction report of e-mail sent to the respondent as well as copy of the track record of the postal department regarding service of notice upon the respondent.

On receipt of the notice, it is open for the respondent to send objections to the grounds of appeal to the applicant and his counsel through email within 10 days. Reply, if any, will be sent by the applicant to the respondent and its counsel within a week thereafter. The parties/legal representatives are directed to upload their respective objection/reply on the e-portal of the Tribunal immediately thereafter.

List this appeal for hearing on **26.08.2022.**

(K.K. Jain)

(D.K. Arora)

Dated: 25.07.2022
SHAKIR