

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

MISC. CASE-489/2020

M/S LAUREATE BUILDWELL PVT. LTD.

.....Appellant

Versus

KV BUILDESTATE LLP

.....Respondent

Counsel for Appellant

SMT. SUCHITA SINGH

Counsel for Respondent

RAJAT GANGWAR

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

Hon'ble Mr. T.B. Singh, Judicial Member

Mrs. Suchita Singh, Advocate is present on behalf of applicant and Sri Rajat Gangwar, Advocate appeared on behalf of respondent.

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

The submission of learned counsel for the applicant is that the impugned order dated 14.07.2020 was uploaded on the website of Regulatory Authority and communicated to the parties on 20.07.2020, the limitation for filing the appeal was up to 19.09.2020. The delay caused on account of the examination of the issue and impacts of the impugned order on the entire project and thereafter it was decided to challenge the impugned order by filing the present appeal. The appeal was prepared and affidavit was shown on 22.09.2020 at Delhi, but it took sometime to reach Lucknow and finally the appeal was filed on 29.09.2020 with delay of 10 days. Further submission of learned counsel for the applicant is that in the interest of justice the delay deserves to be condoned as the matter is being seriously pursued and contested by the applicant.

Learned counsel for the respondent has no serious objection if the delay is condoned. He further submitted to decide the case on the merits expeditiously.

We have examined the submissions of learned counsels for the parties and perused the affidavit filed in support of application for condonation of delay.

On due consideration, we found that cause shown in the affidavit filed in support of application for condonation of delay is sufficient. Accordingly, the application for condonation is allowed and delay is condoned at the cost of Rs.1,000/-. The cost amount will be utilized for purchase of books for the library of legal representatives of this Tribunal.

