

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-113/2022

U.P. AWAS EVAM VIKAS PARISHAD

.....Appellant

Versus

AJAY YADAVAJAY YADAV

.....Respondent

Counsel for Appellant

Counsel for Respondent

N N PANDEY

Hon'ble Mr. Justice (Dr.) D.K. Arora, Chairman
Hon'ble Mr. Rajiv Misra, Administrative Member

Shri N.N. Pandey, learned counsel for the applicant is present and submitted that in compliance of Section 43(5) of the Act Rs. 5,53,792/- vide DD No. 849546 dated 04.02.2022, drawn on Union Bank has been deposited in pursuance to the certificate of the CA. He submitted that the present case has been filed with delay, therefore, in the interest of justice, notices be issued on the application for condonation of delay. The learned counsel for the applicant vide Misc. Application dated 21.02.2022 uploaded form L separately, whereas form L is required to be filed alongwith the memo of appeal and filing of form L with Misc. Application will not serve the purpose. The learned counsel for the applicant is directed to upload form L in the correct folder provided for the said purpose and this can be done by deleting the first one and after that re-filing. Learned counsel for the applicant is directed to upload form L in the concerned folder within a week.

Let notice be issued on the application for condonation of delay to the respondent, returnable on 21.03.2022.

The Registry is directed to generate notice and send the same through email to the applicant and its counsel within 48 hours. After receipt of the notice, learned counsel for the applicant will download the same and send the notice alongwith

memo of appeal with its annexures to the respondent through speed post. Learned counsel for the applicant will also send the copy of notice sent by the Registry alongwith soft copy of the memo of appeal with its annexures through email to the respondent within a week. Learned counsel for the applicant will file an affidavit of service annexing the receipt and the track record of the speed post from the postal department regarding service on the respondent. Learned counsel for the applicant will also file a transaction slip of the email sent to the respondent.

On receipt of the notice, it is open for the respondent to send objections to the applicant and its counsel through email within a week. Reply, if any, will be sent by the applicant to the respondent within a week thereafter.

The parties/LRs are directed to upload their respective pleadings on the e-portal of the Tribunal at least a week prior to the next date of listing.

List this case for consideration of application for condonation of delay and hearing on **21.03.2022**.

(Rajiv Misra)

(D.K. Arora)

Dated: 25.02.2022
GAURAVSRI