

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-182/2022

SHIVENDRA BAHADUR SINGH

.....Appellant

Versus

ABHISHT DEVELOPERS & BUILDERS PVT. LTD.ABHISHT
DEVELOPERS & BUILDERS PVT. LTD.

.....Respondent

Counsel for Appellant
RACHIT SONDHI

Counsel for Respondent

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

Learned counsel for the applicant has filed affidavit of service placing on record the postal receipt dated 16.04.2022 and the track record of the postal department regarding delivery of the notice to the respondent on 18.04.2022 as well as the transaction slip of the email by which the notice was sent to the respondent, which indicates that the email was bounce backed.

The submission of learned counsel for the applicant is that as the notice sent through post has been delivered to the respondent, therefore, the service of notice on the respondent be treated as sufficient.

It appears that the applicant has sent the notice on the wrong email ID. On examination, we found that the email ID of the respondent, which is shown on the website of the RERA is:- rishi@shriinftratech.in.

The Registry is directed to generate a fresh notice returnable on 07.07.2022 and send the same through email to the applicant and his counsel within 48 hours. After receipt of the notice, learned counsel for the applicant will download the same and send the notice and application for condonation of delay alongwith memo of appeal with its annexures on the email ID of the respondent registered with RERA i.e.- rishi@shriinftratech.in within a week. On receipt of the notice, it is open for the respondent to send objections to the applicant and his counsel through email

within 10 days. 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 in the respective folders immediately after expiry of the aforesaid period.

List this case for consideration of application for condonation of delay and hearing on **07.07.2022**.

(K.K. Jain)

(D.K. Arora)

Dated: 10.05.2022
GAURAVSRI