

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-288/2025

U.P. AWAS EVAM VIKAS PARISHAD

.....Appellant

Versus

SURESH KUMAR

.....Respondent

Counsel for Appellant

SAURABH MISRA

GAUTAM JOHRI

Counsel for Respondent

AMIT YADAV

V. P. SINGH

Hon'ble Mr. Justice Suneet Kumar, Chairman

Hon'ble Mr. Rameshwar Singh, Administrative Member

1. Heard Shri Gautam Johri, learned counsel for the appellant and Sri Amit Yadav along with Sri V.P. Singh, learned counsels for the respondent.
2. Learned counsel for the respondent submits that appellant has not deposited the rest amount in compliance of Section 43(5) of the Act, 2016, despite giving last opportunity.
3. On specific query, learned counsel for the appellant submits that the appellant-promoter has not responded for complying the mandate of Section 43(5) of the Act 2016.
4. Perusal of order-sheet dated 20.11.2025 reveals that appellant was granted last opportunity to deposit the rest amount in compliance of Section 43(5) of the Act, 2016, and if rest amount is not deposited then proper order will be passed on the next date. Perusal of order sheet further reveals that ample opportunities have been provided to the appellant to deposit rest amount in compliance of Section 43(5) of the Act, 2016, but till date the appellant-promoter has not complied the mandate of Section 43(5) of the Act 2016.
5. In view, thereof, present **appeal is dismissed** for non-compliance of mandate of Section 43 (5) of Act 2016.

6. Learned counsel for the respondent submits that execution is pending before the learned Regulatory Authority.
7. Registry is directed to remit the amount deposited under Section 43(5) of the Act, 2016 by the appellant to U.P. RERA for disbursement in accordance with law.

(Rameshwar Singh)

(Suneet Kumar)

Dated: 22.01.2026
SYEDTANVEER