

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 2

APPEAL-468/2022

MAHENDRA PRASAD MAURYA

.....Appellant

Versus

M/S ANS DEVELOPERS PRIVATE LIMITED;M/S SHALIMAR
LAKECITY PRIVATE LIMITED;M/S ANS DEVELOPERS
PRIVATE LIMITED;M/S SHALIMAR LAKECITY PRIVATE
LIMITED;

.....Respondent

Counsel for Appellant

SAURABH MISRA
KRISHNA KUMAR SINGH
GAUTAM JOHRI

Counsel for Respondent

ANURAG SINGH

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

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

Case called on.

Counsel Sri Saurabh Misra on behalf of appellant, and counsel Sri Anurag arora on behalf of respondent appeared.

Counsels for the parties submitted that delay condonation application may be dispose of today.

Heard on the delay condonation application against which no written objection has been filed.

During the course of argument counsel for the respondent submitted that he has no objection against the delay condonation application if the same is allowed. He further submitted that the case of appellant is partly covered with the verdict given by the Hon'ble Apex Court in Suo Moto Writ (C) No. 3 of 2020. He also submitted that hardly there is delay of approximately 17 days, and the Hon'ble Tribunal if pleased, may allow the same in the interest of justice.

Without going into depth of contents of limitation application, it is obvious that impugned order relates to 14.03.2022 and the same was uploaded on official website of Regulatory Authority on 25.03.2022, thereafter the instant appeal was filed on 11.06.2022 after a delay of approximately 17 days in view of Section 44(2) of the Act.

On the consent of learned counsels for the parties, application for condonation of delay deserves to be allowed. Accordingly, delay in filing the instant appeal is condoned. Registry is directed to register this defective appeal as regular appeal.

Counsel for the respondent submitted that he has already uploaded reply to the grounds of appeal on the e-Portal of U.P. REAT, but the same is not visible. He further submitted that there may be some technical issue.

Counsel for the appellant is directed to file replication/rejoinder against the reply filed by the respondent, and copy of the same will be sent on the respective e-mail addresses of the respondent and its counsel, before the date fixed.

List this appeal on **13.10.2022** for hearing.

(K.K. Jain)

(T.B. Singh)

Dated: 12.09.2022
PRADEEPKUMAR