

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

EA-1946/2022

IN

Appeal/31/2021

RANANJAY SINGH

.....Appellant

Versus

AGRANI HOMES PVT LTD

.....Respondent

Counsel for Appellant

Counsel for Respondent

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

Hon'ble Mr. Sanjai Khare, Judicial Member

Sri Sanjay Awasthi, learned counsel for the respondent on being asked to press the issues framed by this Tribunal vide order dated 22.02.2023 and specially with respect to issue No. 5 regarding recalling of orders dated 03.08.2022, 18.10.2022 and 19.11.2022, submitted that Tribunal has passed the said orders under the provisions of Section 53 and 57 of the Act 2016 and therefore said order cannot be recalled.

A specific query was made from Sri Sanjay Awasthi, learned counsel for the respondent as to how the Tribunal can stop the proceedings started by the Authorities under U.P. Revenue Code in pursuance of recovery certificate issued by the Regulatory Authority and whether the Tribunal has supervisory jurisdiction over the actions of the Regulatory Authority or the Tribunal is required to take care only of the execution application with respect to order passed in the appeals.

Learned counsel for the respondent submitted that concerned Bench of the Tribunal has passed the order under in its wisdom while examining the application moved by the respondent even with the consent of the allottee.

Heard Sri Arvind Kumar Shukla, learned counsel for the appellant and Sri Nitesh Kumar Mishra, Advocate holding brief of Sri Shobhit Mohan Shukla, learned counsel of U.P. RERA.

Order reserved.

(Sanjai Khare)

(D.K. Arora)

Dated: 24.01.2024

SANTOSHKSHUKLA