

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 2

APPEAL-168/2019

ADITYA RANA

.....Appellant

Versus

MEERUT DEVELOPMENT AUTHORITY

.....Respondent

Counsel for Appellant

HARISH PANDEY

Counsel for Respondent

RAM RAJ

RISHABH RAJ

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

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

Case called on for hearing.

Counsel Sri Harish Pandey on behalf of appellant, and counsel Sri Rishabh Raj on behalf of opposite party appeared.

Counsel for the appellant submitted that he has filed list of dates and events in the case.

Counsel for the opposite party submitted that in lieu of list of dates and events he is filing written submission in nutshell. He further stated that he will upload the same on the e-portal of U.P. REAT within 02 days.

During the course of arguments, it was brought to the notice that, in the instant appeal only issue of interest delay of possession is involved. Counsel for the opposite party also agreed with the fact and stated that appellant has not pleaded the same in his complaint nor he has pleaded in the memo of appeal so that his plea does not stand within the periphery of legal norms as provided in the law. Counsel for appellant submitted that appellant has mentioned in the complaint before the Regulatory Authority and in the pleadings before the Hon'ble Tribunal that the appellant be compensated for the delay in possession of the flat. Opposite party has still not obtained OC/CC and has not offered the possession after obtaining OC/CC of the project till date. However, the opposite party has offered possession in the year 2018, at least delayed interest penalty should be given to the appellant for delay upto 2018. It was also brought to the notice that the matter may be settled between the parties through compromise.

Counsel for the opposite party is directed to file OC/CC issued by the competent authority before the date fixed and copy of the same will be sent on the respective e-mail addresses of the appellant and his counsel.

List this appeal on **09.11.2021** for further order.

(K.K. Jain)

(T.B. Singh)

Dated: 06.10.2021
PRADEEPKUMAR