

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-259/2023

RATAN BUILDTECH PRIVATE LIMITED

.....Appellant

Versus

DEVENDRA SINGH RAWATDEVENDRA SINGH RAWAT

.....Respondent

Counsel for Appellant

Counsel for Respondent

MAHIMA PAHWA

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

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

Ms. Mahima Pahwa, learned counsel for the appellant is present.

Ms. Mahima Pahwa, learned counsel for the appellant submitted that in compliance of the provisions of Section 43(5) of the Act, an amount of Rs.8,94,994.44 Vide Demand Draft No. 508024 dated 23.03.2023 drawn on ICICI Bank has been deposited and a certificate of the C.A. has also been placed on record. Learned counsel further submits that as the compliance of provisions of Section 43(5) has been made, therefore, notice may be issued to the respondent.

Let notice be issued to the respondent returnable on 25.05.2023. The Registry will generate a notice for 25.05.2023 and send the same through e-mail to the applicant and his counsel within 48 hours. The applicant after downloading the notice will send it through speed-post to the respondent annexing memo of appeal and its annexures within three days. The applicant will also send the copy of memo of appeal and its annexures, annexing notice issued by the Tribunal through e-mail to the respondent within three days. The applicant will file an affidavit of service annexing copy of postal receipt and transaction report of e-mail sent to the respondent as well as copy of the track record of the postal department regarding service of notice upon the respondent.

On receipt of the notice, it is open for the respondent to send objections to the grounds of appeal to the applicant and his counsel through e-mail within 10 days. Reply, if any, will be sent by the applicant to the respondent within a week thereafter. The parties/legal representatives are directed to upload their respective objection/reply on the e-portal of the Tribunal immediately thereafter.

List this appeal on **25.05.2023** for orders/hearing.

(K.K. Jain)

(D.K. Arora)

Dated: 13.04.2023
VIJAYKUMAR