THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 2

APPEAL-206/2021

RATNAKAR **.....Appellant**

Versus

DEVIKA GOLD HOMZ **.....Respondent**

Counsel for Appellant
APPLICANT/APPELLANT IN-PERSON

Counsel for Respondent
AZHAR IKRAM
MANISH SINGH

Hon'ble Mr. T.B. Singh, Judicial Member
Hon'ble Mr. K.K. Jain, Technical Member

Case called on.
Sri Ratnakar Gedam, appellant in person is present. Counsel Sri Ankit Sharma holding brief of counsel Dr. Azhar Ikram on behalf of respondent appeared.
Appellant submitted that on the last date i.e. 13.09.2022 appellant was directed to appear in person on the date fixed, and respondent was also directed to appear through Director/authorized person empowered to take final decision regarding settlement of the matter. He further submitted that he has come from Delhi but today no one appeared on behalf of respondent either Director or authorized person. He further submitted that counsels Dr. Azhar Ikram and his colleague Sri Manish Singh also did not appear.

It is worth noting that if both the parties were directed to appear for the purposes of settlement and the appellant has come to attend the proceeding of the Tribunal from Delhi, in such circumstances the respondent was under obligation to show his presence before the Hon'ble Tribunal. If because of any inevitable reason the respondent or counsel for the respondent finds it difficult to attend the proceeding of the Tribunal they could have informed to the appellant in advance to avoid unnecessary journey and wastage of money. The proceedings of the appeal is adjourned at the cost of Rs. 5000/-. The respondent is directed to pay the cost amount to the appellant, without fail, before the date fixed.

List this appeal on **20.01.2023** for further order.

(K.K. Jain) (T.B. Singh)

Dated: 08.12.2022
PRADEEPKUMAR