

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-47/2023

GAURSONS HI-TECH INFRASTRUCTURE PRIVATE LIMITEDAppellant

Versus

RAMAN GUGLANIRAMAN GUGLANIRespondent

Counsel for Appellant

SAMRAT VAISH

MOHIT YADAV

Counsel for Respondent

AMIT YADAV

Hon'ble Mr. Justice Suneet Kumar, Chairman

Hon'ble Mr. Sanjai Khare, Judicial Member

Hon'ble Mr. Rameshwar Singh, Administrative Member

Heard Sri Samrat Vaish, learned counsel for the applicant and Sri Amit Yadav, learned counsel for the respondent.

Learned counsel for the applicant, vide order dated 06.09.2024, was directed to file better affidavit explaining the delay. Today, learned counsel for the applicant, submitted that he does not intend to file any better affidavit, would press the application for condonation of delay.

The appellant seeks condonation of 39 days delay in filing instant appeal.

We have perused the application for condonation of delay and gone through the record. Paragraph 3, of the said application states that since the applicant maintains an electronic record of documentations pertaining to its various projects due to multiple accounts pertaining to different allottees. It had taken a longer period of time than anticipated to retrieve the data due to malware in electronic data base of the applicant. Nothing more has been stated nor pleaded explaining delay. A general bald and sweeping statement has been made.

Learned counsel for the respondent has submitted that the averments of the learned counsel for the applicant are unsatisfactory and untenable as the documents pertaining to the complaint were easily available on the RERA Web Portal. Learned counsel for the applicant does not dispute this fact.

In view thereof, we do not find the explanation satisfactory and sufficient to condone the delay in filing instant appeal.

The application is accordingly **rejected**. Consequently the appeal is also **dismissed**.

(Rameshwar Singh)

(Sanjai Khare)

(Suneet Kumar)

Dated: 22.10.2024
MANSINGH