

THE U.P. REAL ESTATE APPELLATE TRIBUNAL, LUCKNOW

Division Bench Court No. 1

APPEAL-374/2023

GAURSONS HI-TECH INFRASTRUCTURE PRIVATE LIMITED

.....Appellant

Versus

PREETI SHARMAPREETI SHARMA

.....Respondent

Counsel for Appellant

Counsel for Respondent

SAMRAT VAISH

MOHIT YADAV

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

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

Heard Mr. Samrat Vaish, learned counsel for the applicant.

Learned counsel for the applicant submitted that he has deposited an amount of Rs.1,25,161/- Vide Demand Draft No. 521042 dated 18.01.2023 drawn on ICICI Bank towards compliance of the provisions of Section 43(5) of the Act, 2016 and in support of the said deposit a certificate of CA has also been filed. Learned counsel for applicant further submitted that as compliance of the provisions of Section 43(5) of the Act, 2016 has already been, therefore, notice be issued to the respondent.

Let notice be issued to the respondent returnable on 14.08.2023. The Registry will generate a notice for 14.08.2023 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 application for condonation of delay as well as memo of appeal and its annexures within three days. The applicant will also send the copy of application for condonation of delay as well as 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 application for condonation of delay as well as 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 case on **14.08.2023** for orders/hearing.

(K.K. Jain)

(D.K. Arora)

Dated: 31.05.2023
VIJAYKUMAR