

Chief Justice's Court

Case :- WRIT - C No. - 35805 of 2023

Petitioner :- Smt. Anupama Mishra

Respondent :- U.P.Real Estate And Another

Counsel for Petitioner :- Akhilesh Mishra

Counsel for Respondent :- Ankit Prakash

Hon'ble Pritinker Diwaker,Chief Justice

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Akhilesh Mishra, learned counsel for the petitioner and Shri Ankit Prakash, learned counsel for respondent No. 1.

2. Considering the nature of the controversy involved in the present writ petition, the service of notice upon the private respondent No. 2 is being dispensed with.

3. The limited prayer made by the petitioner in the present writ petition is for issuance of an appropriate direction to the respondent No. 1 to hear and decide the Complaint No. LKO120/11/101910/2022 (Anupama Mishra versus New Modern Buildwell Pvt. Ltd.), under Section 31 of the U.P. Real Estate (Regulation and Development) Act, 2016 within the time frame fixed by this Court.

4. It is contended by learned counsel for the petitioner that petitioner has filed the case in the year 2022 but till date the same has not been brought to its logical end. Learned counsel for the petitioner further submits that next date in the aforesaid case is 16.1.2024.

5. Learned counsels appearing for the respondents submit that the case of the petitioner shall be decided by the respondents within the time frame fixed by this Court.

6. Considering the innocuous prayer made by the petitioner for expeditious disposal of the aforesaid case and also taking into consideration the fact that case of the petitioner is pending since long, the writ petition is ***disposed of*** by requiring the respondent No.1 seized with the Complaint No. LKO120/11/101910/2022 (Anupama Mishra versus New Modern Buildwell Pvt. Ltd.), under Section 31 of the U.P. Real Estate (Regulation and Development)

Act, 2016 to consider and decide the same expeditiously without giving any unnecessary adjournment to either of the parties within a period of two months from 16.1.2024 i.e. the next date fixed in the aforesaid case, strictly in accordance with law.

Order Date :- 16.10.2023

Ravi Prakash

(Ashutosh Srivastava, J.) (Pritinker Diwaker, CJ)