BENCH NO. 1

UTTAR PRADESH REAL ESTATE APPELLATE TRIBUNAL

AT

AT LUCKNOW

Allottee's Appeals

1. Appeal No. D 63 of 2025

Prem Tandon ,,,,,Appellant

Versus

Yamuna Expressway Industrial Development Authority ..Respondent

With

2. Appeal No. D 64 of 2025

Prerna Kohli ,,,,,Appellant

Versus

Yamuna Expressway Industrial Development Authority ..Respondent

With

3. Appeal No. D 65 of 2025

Sunil Kumar Tyagi ,,,,,Appellant

Versus

Yamuna Expressway Industrial Development Authority ..Respondent

Cross Appeals of Promoter

4. Appeal No. 98 of 2024

Yamuna Expressway Industrial Development Authority … Appellant

Versus

Prem Tandon ….. Respondent

With

5. Appeal No. 99 of 2024

Yamuna Expressway Industrial Development Authority … Appellant

Versus

Prerna Kohli ….. Respondent

With

6. Appeal No. 101 of 2024

Yamuna Expressway Industrial Development Authority … Appellant

Versus

Sunil Kumar Tyagi ….. Respondent

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Hon'ble Mr. Justice Suneet Kumar, Chairman
Hon'ble Mr. Rameshwar Singh, Administrative Member

1. Heard Ms. Mahima Pahwa, learned counsel for the appellant and Shri Prashant Kumar Singh, learned counsel for the promoter, perused the record.

2. The applicant allottee by the applications (I.A. No. 237/2025, I.A. No. 238/2025 and I.A. No. 239/2025) is seeking condonation of 479 days delay in instituting the appeal in Appeal No. D 63/2025 and 478 days' delay in Appeal No. D 64/2025 and Appeal No. D 65/2025.

3. The cause shown in para nos. 2 to 15 of Delay Condonation Application are good and sufficient to condone the delay in filing the appeals. Accordingly, Applications (I.A. No. 237/2025, I.A. No. 238/2025 and I.A. No. 239/2025 filed in Appeal No. D 63/2025, Appeal No. D 64/2025 and Appeal No. D 65/202) for condonation of delay are **allowed and the delay in filing the appeals is condoned**.

4. Registry is directed to convert these defective appeals (Appeal No. D 63/2025, Appeal No. D 64/2025 and Appeal No. D 65/202) into regular appeals.
5. The appeals are being heard and decided together on consent of the parties.

6. These appeals preferred by the allottees and the cross appeals filed by the promoter have been preferred against the order dated 15.05.2023, passed by the learned Uttar Pradesh Real Estate Regulatory Authority, Gautam Budh Nagar.

7. At the outset, learned counsel appearing for the allottee submits that the facts and law involved in the present appeals is directly covered by the decision rendered by this Tribunal in batch of appeals, being leading Appeal No. 18/2026 (Puneet Wahi Vs. Yamuna Expressway Industrial Development Authority) decided on 24.09.2026. The appeals can be disposed of in terms thereof.

8. Learned counsel for the promoter, on being confronted, does not dispute that the appeals pertain to the same project and the controversy has been decided.

9. In view, thereof, the appeals are **disposed of** in terms of the judgment and order dated 24.09.2026, rendered in Appeal No. 18/2026 (Puneet Wahi Vs. Yamuna Expressway Industrial Development Authority).

10. The appeals instituted by the allottees, bearing Appeal No. 63/2025, Appeal No. 64/2025 and Appeal No. 65/202, are **allowed** by passing the following orders:

(i) The benefit of 2625 days towards force majeure granted to the promoter is set aside.

(ii) The allottees shall be entitled to interest for delayed period in terms of Section 2 (za) of RERA Act, 2016 at 14 percent compounded half yearly till handing over possession of the unit after obtaining OC/CC. The promoter/YEIDA is directed to execute lease-deed of the plots after obtaining valid and legal OC/CC in terms of RERA Act, 2016, read with, Rules 2018.

(iii) The impugned order dated 15.05.2023 shall stand modified to the extent hereinabove.

(iv) The Preferential Allocation Charges (PAC) imposed by the promoter/YEID pursuant to the Board meeting is set aside and quashed.

(v) Registry is directed to remit the money deposited by the promoter/YEIDA under Section 43 (5) of RERA Act 2016 to U.P. RERA for disbursement, as per law.

11. The appeals instituted by the promoter/YEIDA i.e. Appeal No. 98/2024, Appeal No. 99/2024 and Appeal No. 101/2024, being devoid of merit, are accordingly, **dismissed**.

12. No order as to costs.

Date: 27.10.2026 **(Rameshwar Singh)** **(Suneet Kumar)**
Tanveer/-